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TEXAS DIVIDED

Loyalty & Dissent
in the
Lone Star State

1856 – 1874

JAMES MARTEN

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Loyalty and Dissent
in the Lone Star State
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To Linda

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I dedicate *Texas Divided* to my wife, Linda Gist Marten. Marriage into the Gist clan has allowed me to claim as shirt-tail in-laws southern dissenters from the Gist and McCracken families. During the Civil War, Joe McCracken, one of Linda's great-great-great uncles, hid in a Boone County, Missouri, apple cellar for two years to avoid conscription into the Confederate army (not to mention the Union army), while several great-great-uncles on the Gist side served in the Union army, although they lived in Confederate Arkansas during the war. Linda, on the other hand, endured five Texas summers and supported our little family through six years of graduate school with only a few murmurs of dissent; dedicating this slim volume to her attests—albeit meagerly—to my appreciation for the faith, patience, and love she has demonstrated throughout a dozen years of marriage.

Introduction:

Drawing the Line

The Civil War hardly scratched the Confederate state of Texas. Thousands of Texans died on battlefields hundreds of miles to the east, of course, but the war did not destroy Texas's farms or plantations or her few miles of railroads. Her long border with Mexico neutralized the effect of the federal blockade on Texas, and the battles fought inside her borders were mere skirmishes compared to the sanguinary struggles in Virginia and Tennessee. Although unchallenged from without, Confederate Texans faced challenges from within—from fellow Texans who opposed their cause. Dissension sprang from a multitude of seeds. It emerged from prewar political and ethnic differences; it surfaced after wartime hardships and potential danger wore down the resistance of less-than-enthusiastic rebels; it flourished, as some reaped huge profits from the bizarre war economy of Texas.

The geographic location—indeed, isolation—of the Lone Star state caused her domestic struggle to overshadow the fight with the Yankees more than in perhaps any other southern state. Nevertheless, all the satellites in the Confederate constellation fought their own internal civil wars between 1861 and 1865. The surprising amount of unity with which Texans and their corevolutionaries marched against the Yankees obscured for a time the divisions within southern society. Many southerners had long objected to the principles espoused by the secessionists or had opposed secession. Despite this opposition, passion usually overcame ideology, sparking widespread support for southern fire-eaters and winning votes for secession in Texas and all over the South. Fiery campaign speeches against “Black Republicans” in 1860 and “Union shriekers” in 1861 helped spawn a Confederate patriotism among Texans that reached its zenith in the months immediately following the attack on Fort Sumter, before beginning a decline that would not reach its nadir until the end of the war.

Prewar and wartime conditions produced a wide range of dissenting styles among Texans that lasted well into the Reconstruction. The sometimes volatile dynamics among the major social, political, and ethnic groups in antebellum Texas, produced a spectrum of dissent, which I have traced from the origins to the Reconstruction fates of groups and individuals who refused to support the southern and Confederate causes. In many ways, the real civil war in Texas was fought not over the state's relationship with the federal government, but over relationships among Texans. These battles, blending race, politics, and economics, gave birth to a turbulent era of strife and conflict. That those who did not support the Confederacy generally did not emerge victorious from the Civil War, despite its outcome, makes the story even more compelling, and sheds light on the course of events in Texas and in the South for the rest of the nineteenth and much of the twentieth century.

The question of loyalty—to the South, to the Confederacy, to the Union, to one's ethnic group—provides one key to understanding this story of a society at war with itself. Many of the people included in this book were not conscious of any disloyalty. Some were not dissenting against anything in particular; they merely wanted to protect their own interests. Others no doubt resented accusations of disloyalty. They saw themselves as perfectly loyal—but to governments or entities other than the Confederate States of America or state governments that carried out Confederate policies. Their loyalty to the South, or at least the way they demonstrated that loyalty, required them to commit actions other southerners eagerly labeled “disloyal.” Walter L. Buenger examines the dual results of Texans' goals, expectations, and loyalties in his persuasive article, “Texas and the Riddle of Secession.” He argues that similar attitudes about slavery, for instance, could lead to opposite responses to secession, as supporters of the institution disagreed not over its value and its justice, but over how best to preserve it.¹

“Loyal” Texans had many ways of eliminating dissent and dissenters, which I have presented here because their perceptions of and attempts to curb dissent were vital elements in the course of events. Vigilant southerners helped to create the attitudes and institutions that the “disloyal” resisted. The waxing and waning of the many forms of wartime suppression provide a useful counterpoint to the varieties of dissent.

The study of loyalty and vigilance provides one vantage point for examining the structure and dynamics of Texas society during a crucial period in its history. The question of loyalty loomed very large to Americans—and especially to southerners—during the mid-nineteenth century, as the United States joined other Western nations in enforcing notions of national loyalty. The nation had come to be defined as an entity

worthy of devotion and had achieved the power to unify a society by enforcing the loyalty of its members. American "Patriots" had enthusiastically purged their society of disloyal American "Loyalists" in the 1770s and 1780s. After the American and French revolutions, legal enforcement of loyalty became formalized, and social pressure to be true to one's country mounted. "To be traitorous had long been a crime," writes Boyd C. Shafer, "to be a national traitor became the most heinous of crimes." As a result, patriotism—an "individual necessity and moral duty"—became a standard by which "all men could be judged."²

Texans were certainly judged by that standard during the sectional conflict, and many were found wanting. The perception of loyalty often hinged on attitudes about personal liberty, race relations, economic development, and states' rights. These were, of course, central issues during the Civil War and Reconstruction; the rationale behind dissent and that behind attempts to suppress it reveal much about the aspirations of the several ethnic groups and political parties of Texas, including how they viewed the state of their society and what elements of that society they wanted to preserve or to change.

My definition of dissenters is not restricted merely to people who opposed the Confederacy for political or constitutional reasons, but includes those people whose "disloyalty" to the South and to Texas stemmed from deeper, cultural origins, or, contradictorily, from shallow reasons of self-interest or simple lack of interest. No single definition of dissent would have allowed me to trace the evolution of dissent and conformity over the course of a generation.

In order to portray and to analyze the myriad reactions of Texans to the circumstances that led to the Civil War and Reconstruction, I have used a number of methodologies. Sometimes the book resembles a collective biography of prominent Texans; their words and lives must represent the thoughts and actions of men who were more obscure or less articulate but who nevertheless shared the ideologies, hopes, or fears of their leaders. At other times I focus on groups—Germans, Mexicans, slaves, freedmen, Travis County Unionists, Texans in the Union army—in hopes of drawing generalizations out of their experiences. Analyses based on traditional sources such as manuscript collections, newspapers, and government documents mingle with occasional forays into rudimentary quantification.

I have also relied heavily on the works of other historians in my attempt to bridge the gap between the antebellum years and Reconstruction. Previous books, with a few notable exceptions, have tended to compartmentalize both the chronological periods of the sectional conflict and the categories of dissenters in the South.³ Georgia Lee Tatum's *Disloyalty in the Confederacy*, for instance, is concerned primarily with organizations

who opposed the Confederacy and with “peace” societies. Other classic studies, such as Ella Lonn’s *Desertion during the Civil War* or Albert Moore’s *Conscription and Conflict in the Confederacy*, examine those subjects narrowly and fail to consider their pre- or postwar ramifications. National, regional, and state historical journals have published scores of interesting although limited articles or collections of primary sources dealing with Unionists, and an astonishing number of other works have intensively examined such topics as the various strands of Unionist ideology, southern nationalism, wartime states’ rights controversies, and race relations. Several generations of state studies have generally neglected dissent, although they usually offer chapter-length narratives or dramatic vignettes of desertion, speculation, or resistance to the Confederacy.

Texas historians have also examined the period extensively, yet, except for Randolph Campbell’s analysis of Harrison County and Vera Lea Dugas’s unpublished 1963 dissertation on the period’s economic history, they generally have not attempted to unite the pre- with the postwar years. Walter L. Buenger and Frank H. Smyrl have looked at antisecessionism; Robert P. Felgar, Stephen B. Oates, Claude Elliott, Robert L. Kerby, and a host of other authors have written about various aspects of the war years; and Charles Ramsdell, James Baggett, and Carl H. Moneyhon have offered useful interpretations of Reconstruction. I have depended on these and many other articles, monographs, theses, and dissertations to flesh out my own research for the entire period.⁴

Although I have hardly approached the comprehensiveness or, no doubt, the eloquence of Carl Degler’s *The Other South*, his work has informed much of what follows. Like Degler, I have sought in this book to “illustrate concretely . . . that the South is not and never has been a monolith.” I have also found a continuity in ante- and postbellum dissent and in the efforts by southerners to stamp it out. If few Texans actually advocated the eradication of slavery, many opposed the more extreme strategies for preserving it. Although race was an ever-present factor in the process, the participants’ loyalties—to country, region, or state—remained the most important constant in the dissension in Texas. In the end, as in other parts of the South, dissenters “who sought to escape their southern past” and tried to overcome the South’s preoccupation with race, failed.⁵

The editor of the *Brownsville Ranchero* wrestled with the complexities of loyalty in an editorial written during the dark days of late 1864. “Where shall the line be drawn,” he asked, “between loyal and disloyal subjects of the Confederate States?” He worried over this “thoroughly hair-splitting” issue, one which must be redefined by the participants of “every revolution, struggle for liberty, civil or belligerent war.” “The difference

between the worst good man on the road to salvation,” wrote the editor, “and the best bad man, on the highway to endless perdition, is no more intricate than this loyal, disloyal question.” Many Texans drew lines during the years before and after the Civil War, deciding how far they would go in supporting the Union, how much they would sacrifice in supporting the Confederacy, and what ends justified which means in enforcing Texans’ loyalty to the Confederate States and to the South. The long sectional conflict also revealed deep fissures in southern and in Texan society, creating contours that would become battle lines in the fight over the shape that Texas society would take after the smoke had cleared. Loyal and dissenting Texans participated in the rocky process that Drew Gilpin Faust describes in *The Creation of Confederate Nationalism*. “Independence and war,” she writes, “reopened unfinished antebellum debates, intensified unresolved prewar conflicts, and subjected some of the most fundamental assumptions of the Old South to public scrutiny.” This is neither the history of the Civil War in Texas, nor of secession or Reconstruction, although those events obviously provide the necessary backgrounds for the drama. Rather, it is the history of men dealing with the sometimes fragmented southern society in which they lived—some fighting to change it, others to preserve it—and an examination of the lines that divided Texas and Texans during the sectional conflict of the nineteenth century.⁶

Southern Vigilantism and the Sectional Conflict

During the night of September 13, 1860, a Fort Worth vigilance committee hanged a Methodist minister named Anthony Bewley for plotting to incite an insurrection among Texas slaves. Bewley was no meddling New England abolitionist, but a Tennessean who had spent his entire career working in the slave states of Missouri, Arkansas, and Texas. His nativity failed to save him, however, and in a letter to his family from a jail cell in Fayetteville, Arkansas, a week before his death, he seemed resigned to his fate: "I expect when they get us we will go the trip." He protested that none of the abolitionist sentiments with which he was charged "have ever been countenanced in our house," and offered his wife the faint comfort "that your husband was innocent." Nevertheless, Bewley realized that, as a member of the hated Northern Methodist Episcopal Church, he was fair game for any sort of vigilante activity, especially during "these times of *heated excitement*," when "mole hills are raised mountain high." It seemed "enough to know that we are 'North Methodists,'" and the Fort Worth vigilantes "had sworn vengeance against *all such folks*."¹

That hunger for vengeance had risen from the ashes of a July 8 fire in Dallas that caused an estimated \$400,000 worth of damage and destroyed most of the city's business establishments. Fires struck several other North Texas towns on that hot summer Sunday; Texans blamed their slaves and marauding abolitionist "emissaries" for the wave of arson. Charles R. Pryor, the editor of the *Dallas Herald*, described the plot and the growing alarm in the northern counties of the state in a letter to the *Austin State Gazette*. "I write in haste," he wrote, "we sleep upon our arms, and the whole country is most deeply excited." The print shop of the *Herald* lay in ashes, and Pryor asked the *Gazette* to "warn the country of the dangers that threaten it. . . . All is confusion, excitement and distrust. . . . There never were such times before."²

Throughout the rest of the summer, reports of burnings, poisonings,

attempted murders, and other evidence of a widespread plot bred rumors all over the state. According to one source, the slaves had planned a general uprising on August 6, and "the whole country was in arms." Newspapers castigated masters for "laxity and indifference" in the management of their slaves and blamed the uprising on "unwise indulgence and foolish charity" toward northern incendiaries. Public meetings passed resolutions condemning Black Republicans or other northern conspirators for corrupting otherwise faithful negroes. Texans in more than two dozen counties formed vigilance committees. Citizens of Rush Creek directed its committee to keep "a strict watch over the action of every stranger coming in our midst." They vowed "to hang or burn" anyone trafficking in ideas, pamphlets, or poison among the slave population. Members of the Chatfield Vigilance Association pledged to defend their families, as well as their "honor and property," against the "robbers, murderers, assassins, traitors, the incendiaries . . . and thieves" at large in the land; "believing that all the crimes condemned by God and man flow from [abolition] principles as naturally as bitter waters from bitter fountains," they promised to "discard and ignore all smaller punishments" and to "inexorably execute our deliberate decree—DEATH!" The "people of Guadalupe" would assume to be enemies all northerners "whose antecedents are not known, and whose means of support are not visible." The *Matagorda Gazette*, while boasting that "everything here is quiet and orderly," declared that "the white man who is caught tampering with slaves in this community had better have his peace made with God . . . for if he don't swing, it will be because there is no hemp in the South."³

Hemp was apparently plentiful, for a Long Point physician wrote in mid-August that "a good many of these . . . negro lovers have already been hung up." Vigilantes around the state hanged at least ten white men and nearly thirty blacks, although a contemporary estimate put the numbers even higher, at twenty-five and fifty, respectively. Most of the blacks were suspected of poisoning wells or some other kind of homicidal plotting; most of the white victims were northerners, although some of them had lived in Texas for years. Scores of slaves and several whites were whipped or banished from the state, or both, for their alleged transgressions. A young peddler found with several copies of Hinton Rowan Helper's anti-slavery polemic *The Impending Crisis of the South* was allegedly burned alive in Buchanan. The woods near Bastrop seemed "to be alive with runaway slaves" apparently seeking to escape similar fates. Even innocent white men worried that their vigilant neighbors might suspect them of wrongdoing. Edward Burrowes, a young immigrant from New Jersey, asked his mother to "tell the folks sending me [northern] papers to stop, for I am afraid that it might get me in a tight place the way things is going now.

Thair was two men hung in some of the upper counties for takin northern papers, and I might get in the same fix if they keep on coming.”⁴

The violence climaxed in September with the hanging in Fort Worth of the fifty-six-year-old Bewley. At the time of his death he was a missionary in the Arkansas Mission Conference of the Northern Methodist Episcopal Church. Texans had long associated Northern Methodist ministers with abolitionism, and a mob had broken up their 1859 annual meeting in Bonham. The events of the next year raised even more suspicions. “As is the custom in the worlds [*sic*] history of such matters,” Gideon Lincecum sarcastically wrote to his nephew, “the insurrection was conducted in the name of the Lord. Poor Lord, he stands a bad chance to sustain a good character, for the damndest rascals perform their villainies in his name universally.” Assigned to Texas less than two months before the insurrection panic erupted, Bewley arrived at a time when Texans were desperately casting about for “dangerous” characters. Despite his apparent moderation in regard to slavery, Bewley fled Fort Worth in mid-July. Bewley’s vocation, the timing of his appearance in Texas, and a letter that he supposedly lost under a haystack outlining plans for an abolitionist conspiracy “convicted” him in his absence. The local vigilance committee’s offer of a \$1000 reward inspired a posse of Texans to track Bewley all the way to Missouri, drag him back to Texas, and hang him without a trial.⁵

Bewley’s ordeal reveals the most drastic way that southerners punished those they perceived to be disloyal. Indeed, the decades after 1820 produced many crises similar to the Texas “insurrection” of 1860, during which southerners could perfect means of enforcing standards of loyalty. Vigilance associations and mass-produced justice were not invented by Texans, however; they were an American tradition during the antebellum period, and appeared whenever dissent reared its disloyal head in the south. The members of the mob who lynched Bewley simply played out the southern ritual of eliminating ideas that posed a threat to a way of life that by 1860 seemed to face enemies from all sides, particularly from the North. Lynching was, of course, the most extreme method of extending discipline to faithless southerners; it was complemented by equally effective political, rhetorical, and social versions of censorship and punishment. Such methods of ensuring sectional loyalty demonstrated a growing southern defensiveness in the face of the rising power of the North, along with a commitment to protecting slavery and providing for its expansion. These ideas created a sense of loyalty to the South that encouraged southerners to lash out at any external or internal enemy that challenged southern values or interests. Of course, northerners also employed mob violence to enforce community standards and to express

political opinions. Ironically, the same ideas about slavery that angered southerners often led northern rioters to attack abolitionists.⁶

Southerners usually underestimated northern antiabolitionism, however, and their intolerance of challenges to southern society from within often coincided with periods of sectional friction. W.J. Cash, in his classic analysis of the southern mind, asserted that conflict with "the Yankee" inspired "the concept of the South as something more than a matter of geography, as an object of patriotism, in the minds of Southerners." The old loyalties to states and communities, Cash wrote, "would be rapidly balanced by rising loyalty to the new-conceived and greater entity—a loyalty that obviously had superior sanction in interest, and all the fierce vitality bred by resistance to open attack." As a result, every revival of the northern threat to southern institutions caused defensive southerners not only to oppose northern aggression, but also to punish those who failed to meet their responsibilities as loyal southerners. A southern man's most pressing obligation of course, was to defend slavery, and most cases of perceived disloyalty involved some sort of violation of this element of the southern code. Economic interest and the need for social stability combined to make "slavery . . . no abstraction—but a *great* and *vital* fact," wrote Arthur P. Hayne of South Carolina. "Without it our every comfort would be taken from us. Our wives, our children, made unhappy—education, the light of knowledge—all *all* lost and our *people ruined forever*." That religion became one of the rocks on which slavery stood encouraged southerners to enforce sanctions against anyone who in some way threatened slavery.⁷

The deepening rupture between the sections redefined southern loyalty so that it encompassed more than just a proper reverence for slavery. As southern extremism grew, southern Whigs, National Democrats, and Unionists, among others, risked the same sort of public censure as the few antislavery men who lived in or passed through the South. By the beginning of the Civil War, southern radicals commonly applied the epithet *abolitionist* to political enemies who resisted secession or any other expression of southern rights. The same methods for punishing racial disloyalty proved popular in punishing political disloyalty, and vigilant southerners organized associations to enforce loyalty during sectional crises, important elections, and after the secession process had begun.

John Brown's futile expedition to Harpers Ferry in 1859 deepened the South's commitment to vigilance and raised the stakes in its drive to eliminate dissent. The raid set off a wave of panic and led southerners to practice the stern vigilante measures they had used against aliens or disloyal natives for years. Residents in every parish and district in South

Carolina held public meetings and organized vigilance committees charged with protecting the public from rabid abolitionists. Vigilantes in Columbia, South Carolina, captured, whipped, and tarred and feathered an Irish stonecutter for allegedly using "seditious language" against slavery. In North Carolina, "a wave of panic approaching hysteria" caused concerned authorities to censor the mail, step up slave patrols, and eye suspiciously free blacks and northern teachers, peddlers, and Methodist ministers. Mississippians withdrew their sons from northern colleges, kicked out Yankee teachers, and imposed an "intellectual isolation" upon themselves that shut down all communication between this crucial southern state and the North. The fear spawned by Brown's raid swept many previously cautious southerners into the radicals' camp and provided the southern nationalist movement with a much needed momentum.⁸

A year later the North and the South reaped the harvest of four decades of sectional strife, as Lincoln's election set in motion the chain of events that culminated in secession. The southern campaigns of the Constitutional Unionists, the Southern or Breckinridge Democrats, and the National or Douglas Democrats, revealed how few political and philosophical options were open to politicians and individuals in the slave states by 1860. Every party promised to guarantee southern rights and to resist the incursions of meddling Yankee abolitionists. In many cases, according to one historian, the campaign degenerated to "a shouting match to see who could call the Republicans blackest." Differences between Garrisonian radicals and moderate Republicans were ignored; anyone who failed to defend southern rights must oppose them. The realities of politics in the South forced politicians of many stripes into a narrow range of options, and no one who hoped to win—outside the sparsely populated and frequently Unionist mountain regions—could espouse any creed that challenged southern orthodoxy. Voters were similarly restricted, and vigilance committees mobilized in many areas to ensure the appropriate balloting. The *Nashville Union and American*, like many southern papers, called on its readers and the entire South to unite behind the Southern Democrat John C. Breckinridge, for only he had a chance to prevent the election of Abraham Lincoln. "Can any true Southern man calmly contemplate such a result without horror and the deepest humiliation?" asked the *Union and American*. "If he does not feel humiliated for himself he must feel so for his children's sake. If this be so, has the South lost her manhood? Is she so weak, imbecile and distracted that her sons cannot unite and strike one good, strong, healthy blow for her independence and equality[?] . . . Every true Southern patriot will say, 'strike the blow.'"⁹

Southerners who refused to strike the particular blow advocated by the Nashville paper were excoriated, as many southern dissenters had

been before. One of the men that nationalistic southerners loved to hate during the campaign was Georgia's Herschel V. Johnson, a Unionist who was also Stephen A. Douglas's running mate. Throughout the South, particularly in Georgia, crowds hissed Johnson, hanged him in effigy (once just outside his hotel room in Macon), and threatened him with violence. When his train stopped in Georgia towns on the way home from the national nominating convention, Johnson recalled, people "would gather at the windows to get a glance at the man who dared to stand boldly in opposition to the sectional disunion movement of the Breckinridge democracy." Johnson knew that Georgians did not crowd depot platforms to catch a glimpse of a favorite son: "They eyed [me] not as a hero they wished to admire, but as some curious specimen of the genus homo, who deserved the gallows, for alleged treason to the rights of the South."¹⁰

Loyalty to the South was not an issue that suddenly appeared in 1861. Obviously, not every southerner worried about his neighbor's politics or his allegiance to slavery. But the rising concern of a growing minority of antebellum southerners reveals much about the ways that southerners perceived their interests, defined loyalty, and purged from their society people or opinions that they believed threatened slavery, southern political institutions, or the conservative social system. The months following the Harpers Ferry incident saw the frantic creation of one of the few regionwide campaigns to drive dissenters out of the South. More often, local vigilantes, spurred to action by slave insurrections, sectionalized political campaigns, or other emergencies, flushed from the system individuals who became scapegoats for southern disappointments and fears.

Mere chance cannot explain why some dissenters suffered the slings and arrows of vigilantism while others remained to a greater or lesser degree unmolested. Economic status, social position, and geography all played a part. Hapless Methodist missionaries, for instance, were more vulnerable to expulsion or violence than prominent politicians, attorneys, or planters, who usually had to contend only with angry epithets and editorials. Vigilant southerners used a wide variety of techniques to suppress heresy, or to convince their friends and colleagues of the error of their ways. In addition, although the persecution of individual dissenters never failed to receive a lot of attention and usually a fair amount of public acclaim, the southern gospel of individual liberty usually kept the newer doctrine of southern loyalty from overcoming justice, common sense, and the normal functioning of partisan politics.

The act of secession and the formation of the Confederacy at least temporarily changed all that, as it institutionalized antebellum vigilance and suddenly labeled men who had considered themselves good southerners as traitors to the South. Decades of a rather erratic enforcement of

southern values suddenly became Confederate policy. Many men who, even after the events of 1860 and 1861, still could not tolerate southern radicalism, faced an abrupt transition in public sentiment, as for a short time the South united in its contempt for the North and for anyone who did not support the Confederate cause. Benjamin Hedrick had experienced this phenomenon five years earlier, when he lost his professorship at the University of North Carolina for supporting John C. Fremont for president. In a letter to university official Charles Manly, he wrote that, as a native of North Carolina, he had "always endeavored to be a faithful law abiding member of the community. But all at once I am assailed as an outlaw, a traitor, as a person fit to be driven from the State by mob violence, one whom every good citizen was bound to cast out by fair means or foul. This was more than I could bear." Thousands of southern men accused of treason, disloyalty, or disaffection during the war could have written those words. Few Unionists or antislavery southerners considered themselves outsiders; most no doubt believed that their ideas held out the best hope of progress and security for the South's future. Yet that vision of the future did not mesh with the ideas of the other good southerners who controlled the southern states after late 1860.¹¹

When Texas joined the Union in 1845, she inherited a history of sectional tension that helped determine her course over the next sixteen years. In a state dominated by immigrants from the Southern states and with an economy increasingly dependent on slave labor, the political and economic interests of most Texans placed them solidly within southern traditions. As a result, the vigilante heritage of the South found an application in Texas, and the development of the idea of southern loyalty spread to Texas after the Mexican War. This vigilance, combined with the violence endemic to frontier Texas, created a place where, according to one Galveston resident, "a man is a little nearer death . . . than in any other country."¹²

Texans generally kept pace with their southern compatriots in ferreting out and disciplining individuals or groups who violated their perception of loyalty to the South. As in the other slave states, most instances of prewar enforcement of loyalty involved defending the peculiar institution. Texas law mandated prison sentences of at least two years for "free persons" who publicly claimed that men had no right to own slaves, who tried to bring the institution "into dispute in the mind of any free inhabitant of this State," or who encouraged a slave to be "discontented with his state of slavery." Postmasters could turn abolitionist literature received in their offices over to local authorities—in fact, they could be charged with a misdemeanor if they did not—and anyone who subscribed to such liter-

ature could be fined \$500 and confined for six months. The Texas legislature and the courts squelched a short-lived attempt by a group of Texans and Mexicans to establish the "Republic of the Rio Grande" in South Texas in 1850, at least partly because they feared the movement might be the beginning of an abolitionist campaign. The *State Gazette* warned that "some ramifications of northern fanaticism may have extended there," and, if allowed even this small toehold, the abolitionists might grow strong enough to "command the South." In 1854, a vigilance committee in Austin expelled at least twenty Mexican families, and Austin businessmen pledged not to hire Mexican laborers because their presence inspired "false notions of freedom" among the slaves, making them "discontented and insubordinate." A military expedition against the Indians a year later turned into an attempt to recapture the estimated four thousand fugitive slaves living in northern Mexico. Finally, during the three-and-a-half decades between the Texas Revolution and the Civil War, Texans determinedly narrowed the rights of free blacks, pushing them outside the "black belt" in eastern Texas and, indeed, out of the state; they numbered only about 350 by 1860.¹³

Local communities also stepped up their vigilante activities. In East Texas in the mid-1850s, a citizen's group calling themselves "Moderators" committed a number of murders and other depredations. They sought to drive out the large number of free blacks and mulattoes who lived in the county, but they directed much of the violence at those whites who refused to aid the Moderators in their crusade. The tourist Frederick Law Olmsted reported that thirty families had left the county, and that the sheriff, deputy sheriff, and two strangers passing through the county had been killed. Adolf Douai, a friend of Olmsted's and the editor of the *San Antonio Zeitung*, left Texas after his abolitionism cost him many of his advertising patrons, most of his friends, and all of his credit. These examples of Texas vigilantism led the New Englander George S. Denison, a teacher in San Antonio, to write, "I have become a very little disgusted with this country. . . . Slavery is the grand Golden Calf, and everyone who don't believe and maintain that it is an institution established by God itself [*sic*], and is the only hope and object of our common country, is denounced as a traitor to the South & to Republican Institutions."¹⁴

Politics, slavery, and loyalty to the South were further intertwined when in the fall of 1856 an insurrection scare began in Tennessee and Kentucky and spread by the end of the year throughout the slave states. Most southerners attributed the uprising, allegedly scheduled to begin on Christmas Day, to the growth of the Republican party and especially to the sparks set off by that autumn's presidential campaign between John C. Frémont and James Buchanan. In Texas, a Colorado County vigilance

committee discovered in early September that the county's blacks planned to kill all the whites, steal their horses, and fight their way to Mexico. Slaveowners promptly hanged three blacks, whipped two others to death, and ordered all Mexicans—who were also implicated—out of the county, while the state legislature restricted slaves' rights to possess weapons, a moribund slave patrol system found new life, and vigilance committees surfaced in many towns around the state. One of their victims, a David O. Hoover, owned a thousand acres of land but no slaves, and voted for Frémont in the fall election. Threatened with lynching, he fled the state with his family and fifty-five cents. In October, a plot in Hallettsville implicated two white men.¹⁵

The scare induced a rash of vigilant rhetoric. The *State Gazette* hoped that the instigators of these revolts "may yet pay for their villainous deeds by the forfeiture of life itself.—Prompt and efficient punishment is demanded in these cases." The editor added that he had always favored law and order, but that in times such as these, it was proper that "the popular vengeance may be meted out to the criminal with as much necessity as we would strike down an enemy in self-defense, or shoot a mad dog in our path." Like many southerners, he blamed the threat on the fanatical rhetoric produced during the recent campaign: "We hope that this will be the last Presidential contest in which Southern institutions are alone to be the stake to be lost or won." Anson Jones, a former president of the Republic of Texas, also indicted Frémont and the Republicans. In a July speech at Washington, Jones called Frémont "a renegade southerner, envious of the fame of Benedict Arnold," and asserted that an abolitionist "must of necessity be either a knave or a fool" and refused to extend much charity to either. The former ought to be hanged "for high treason," while the latter would benefit from the scriptural axiom, "A rod for the fool's back." Jones warned that Black Republicanism had become synonymous with abolitionism and that only southern unity and a strict adherence to the constitution could save the Union from this threat.¹⁶

The people of Texas found other sources of danger between the insurrections of 1856 and 1860 and quickly stamped them out. Wood County vigilantes ran two journalists out of the state in 1857 for printing "grossly libelous . . . infamously false and . . . ridiculously absurd" abolitionist opinions. In 1859, an "Indignation meeting" of Gainesville citizens resolved greater vigilance—which they executed with a vengeance three years later—after a local man named E. C. Palmer, who had recently been convicted of "gaming with a negro slave," was discovered to be an abolitionist. Palmer wisely headed for safer pastures in California before Gainesville residents could act, but the meeting resolved that the "residence in our midst" of persons entertaining those sentiments was "danger-

ous and fatal to the interest and institutions of the South," and pledged "to use every means in our reach, to remove such persons from among us." Finally, in April 1860, the State Democratic Convention in Galveston expelled W.W. Leland of Karnes County because of his "Black Republican proclivities." Leland admitted to voting for Frémont in 1856, but protested that he had done so only because he, like the Republican candidate, favored a southern route for the Pacific railroad. According to the *Brownsville Ranchero*, Leland resembled "the fox who, on his return from a thieving excursion, minus his tail, which had been left in the jaws of a trap, as a memento . . . tried to make his old comrades believe that 'no tails' was the latest and only fashion." This "new doctrine" found believers among neither the foxes nor Karnes County voters, and Democrats in Leland's home county promptly endorsed the state convention's action.¹⁷

By 1860, the southerners' fears of isolated abolitionists inciting slaves to rebellion had grown to the belief that a substantial number of northerners, led by Black Republicans, were conspiring to overthrow the institution of slavery and to deprive the South of her rights. In Texas, the 1860 insurrection scare prompted a sharp exchange between moderate Unionists and the supporters of southern rights that hinged on the question of loyalty. The former hardly approved of slave insurrections, but believed they were the work of marauding individuals, not of abolitionist groups in the North, and that secessionists had exaggerated the danger in order to fire public passions. The latter associated the insurrection with an alarming pattern of attacks against southern institutions spearheaded by growing groups of northern fanatics.

"Rumor has burned almost every town in Texas this season," quipped the *Galveston Civilian*. The *Texas Republican* warned against such unfounded and exaggerated rumors regarding the slave insurrection, while the *Paris Press* protested "against the spirit, manifested by some persons, to take advantage of the present excitement to revenge personal injuries, and vent their spite upon those against whom they may be prejudiced." All this talk of hangings and mobs would tarnish the state's image, the Unionist *Southern Intelligencer* predicted. Its editor complained that "because this paper did not give way to the madness of the hour, and flood the country with . . . infernal falsification . . . we are denounced by fools and madmen as being 'unsound on the slavery question,' as if soundness implied nothing but capacity for falsehood and misrepresentation." James Newcomb, of the *Alamo Express* in San Antonio, came even more to the point: "If this whole matter of incendiarism was whittled down to the truth, it would result in the disclosure of the fact that it has been the work of a few miserable black-hearted Abolitionists . . . gratifying a private revenge, and have [*sic*] no connection with any one beyond the State."¹⁸

Many editors disagreed with such moderate opinions, and the *Houston Telegraph* struck an unusually bloodthirsty pose when it declared, "It is better for us to hang ninety-nine innocent (suspicious) men than to let one guilty one pass, for the guilty one endangers the peace of society." The Democratic organ, the *State Gazette*, led the campaign in Texas for Breckinridge and against those newspapers that denied any link between the 1860 insurrection crisis and the conflict between the North and South. Those same people who denounce "our suffering citizens for exposing the abolition incendiaries," asserted the *Gazette's* editor, propose "unconditional submission to the principles of the Black Republican party." The *State Gazette* accused the Unionist "clique" that supported Gov. Sam Houston of bowing to Republican wishes so that, in the event of a Republican victory, they would be rewarded with lucrative offices. These men, in turn, "are in the habit of denouncing as treason every manly southern sentiment." The *Gazette* summarized the opinion of most vigilant southerners when it manfully declared early in 1861 that "Helperism, its aiders and abettors, should be strangled by the hangman's knot, and crowned with an infamous martyrdom."¹⁹

Interestingly, only one ex-slave commented on the 1860 "insurrection." Joe Oliver recalled many years later that "to dis day I thinks hit wuz de work of de Abolition preachers dat cum to work up de nigger's against de w'ite folks." Oliver, a teenager in 1860, believed that the "abolition preachers" started the fires, then "put hit on de slaves." The slaveowners responded by organizing vigilance committees "whose business hit wuz to arrest dese folks dat is tryin' to git de slaves to rise up agin' de w'ite folks." When the war came, however, southern whites "forgit all 'bout dese troubles, for de slaves did'nt rise up agin' de w'ite folks like dey had been told to do by dese abolition preachers, or whoever dey wuz." The agitators also forgot about the slaves, for "dey had gained dey purpose to work up de feelin's 'bout de war."²⁰

By 1860, southerners and Texans had for a generation enforced loyalty to the South. Men who challenged slavery—whether they hailed from the North or the South—were silenced, exiled, or, in extreme cases, killed. Of course, southerners traditionally discovered the need for vigilance during times of sectional conflict; however, as crisis crowded upon crisis during the 1850s, and as new threats to the South and radical solutions to its problems surfaced, dissenters found themselves increasingly isolated. Vigilant southerners soon linked the old distrust of those rare southerners who opposed slavery to the large minority who opposed radical southern nationalism. "This charging of want of fidelity to the South," cried James Newcomb of the *San Antonio Alamo Express*, against "a man or set of men

because of his or their devotion to the Union is palpably wrong . . . and decidedly ungenerous and un-American like.”²¹

Nevertheless, in Texas, those individuals or groups who had for years lived outside the political or cultural mainstreams of Lone Star society, found their Unionism, or antislavery sentiments, or disaffection from Texans in general, lumped together under the category of disloyalty to the South and, later, to the Confederacy. Men who opposed secession could be labeled abolitionists and were subject to the same sorts of sanctions and violence as any other traitor to southern communities. The peculiar color-blindness of southerners led them to consider a challenge to any aspect of southern life or values a challenge to the doctrine of white supremacy. The Civil War did nothing to dilute that attitude, and by the Reconstruction period, it proved even more damaging to the survival of dissent in Texas.

Antebellum Dissenters in Texas

Amelia Barr stood “on a vast plain, dark and lovely, with the black clouds low over it.” She waited in a pouring rain “with clasped hands” but “without the power to pray,” watching as “a great white arch grew out of the darkness . . . as high as heaven, and wide as the horizon.” Amelia “wondered at its beauty and majesty,” but soon a black line bisected the arch. The arch finally split in two and half of it collapsed, “amid groans and cries, far off, but terrible.” Then “a *Presence* of great height” suddenly appeared, “dim and shadowy, standing beside the ruined arch, and he cried for the *birds of prey* in a voice that filled all space. Turning north, and south, and east, and west, he cried, ‘*Come! and I will give you flesh to eat!*’”¹

Late in life, Mrs. Barr, an English-born popular novelist and widow of Unionist-turned-Confederate Robert Barr, wrote that her 1859 dream foreshadowed the Civil War. Those Texans who suffered for failing to support the Confederate war effort would probably have agreed with her. Opposition, on constitutional grounds, to secession and the dogma of states’ rights; devotion to the Union; disapproval of slavery; political or economic self-interest; ethnic antipathy; or simple lack of interest all contributed to the motivations of a motley band of dissenting Texans during the decades of antebellum strife and Civil War. Various combinations of these attitudes were exhibited by old-line Whigs, Know-Nothings, and National Democrats; by a minority of the immigrant German population residing in the state; and by most Mexican-Americans living along the Rio Grande border. In one sense, theirs were the “groans and cries” that mourned the destruction of the Union. Despite frequent but highly localized attempts to suppress dissent during the antebellum period, the existence of these groups proves that the growing pressure to conform failed to create a homogeneous southern populace, and that there still existed in the South people whose allegiance to the institutions upon

which southern society was based seemed questionable. How a man viewed the existing state of Texas society and politics and how he believed future progress could be accomplished, frequently determined whether his neighbors would label him a "loyal" or "disloyal" southerner.²

In Texas, political resistance to secession and to the Confederacy grew out of the 1850s struggle by Whigs and renegade Democrats to maintain an organized opposition to the state's Democratic party. Ironically, however, the events of that decade only strengthened the Democracy's dominance in Texas. The rise of the Republican party, the highly publicized bloodshed in Kansas, John Brown's raid on Harpers Ferry, and the election of Abraham Lincoln, along with crises exclusively Texan—an escalation of Indian attacks along the frontier, unrest on the Rio Grande, the 1860 slave "insurrection"—made the Democrats' increasingly sectional solutions to these problems appear sensible and necessary. As a result, Unionist strength dwindled, and Texas was transformed from a state overwhelmingly in favor of remaining in the Union in 1859 to one decisively in favor of secession in 1861. Secession fever came late to Texas, but it struck with considerable force and urgency.³

The Democratic party in Texas had evolved out of the pro- and anti-Houston partisanship of the Texas republic. Most immigrants to Texas were southerners and Democrats, and the national party's support for the annexation of Texas and for the Mexican War confirmed Texas's status as a Democratic state. Even so, factionalism plagued the Texas Democrats; in 1853, for instance, seven Democrats ran for governor. Despite repeated attempts to establish central committees and hold unifying conventions, only competition from Whigs and, later, Know-Nothings, forced the two competing factions together. The Know-Nothing opposition siphoned off many Union Democrats from the state Democratic party, which fell into line with the southern wing of the National Democracy, denying Congress's power to interfere with slavery in the territories, demanding the acquisition of Cuba, endorsing the Dred Scott decision, and flirting with reopening the African slave trade. Although Texans had not suffered through the stormy decade of debate over secession experienced by older, more radical states such as South Carolina and Mississippi, by the end of the 1850s many leading Texans had adopted the Southern Democrats' ideas about secession.⁴

Southern nationalism was a major issue in the gubernatorial elections of 1857 and 1859. The Democrats victoriously pitted Hardin Runnels against the Independent Democrats' Sam Houston and, as the majority faction in the state legislature, also spiked Houston's bid for a United States Senate seat. The next two years witnessed a further radicalization of Texas Democrats and the first significant discussion of secession in the

state. Unfortunately for Runnels, neither his administration nor the federal government could deal effectively with the Comanche raids on the western and northern frontiers. Houston's vigorous 1859 campaign for governor capitalized on the Indian problem and on Runnels's radical states' rights position to win the election. Outside events soon pushed Texas toward secession, however. Houston hardly had time to warm the governor's chair before John Brown invaded Virginia, and the next year's slave insurrection in Texas helped to make the Opposition party's victory short-lived.⁵

Lincoln's election in November accelerated Texas's exit from the Union. Early in the disunion campaign, many secessionists advocated resurrecting the old Republic of Texas, and merchants in Gonzales, Houston, and Galveston soon sold out their stocks of Lone Star flags. John T. Allan wrote from Austin to his friend D.G. Osborn that "the post office is besieged every morning for news" on the election, and reported that men had raised a Texas flag over "the principle [*sic*] hotel" in town. At a public meeting in front of the Calhoun County courthouse, secessionists sang the *Marsellaise*, passed resolutions urging the state of Texas to act, and paraded transparencies that read "Texas is Sovereign," "None But Slaves Submit," and, significantly, "Who is not for us is against us." Residents of Houston and Galveston wore blue cockades, and martial Galvestonians formed the Lone Star Rifle Company. The *Navarro Express* declared, "The North has gone overwhelmingly for *Negro Equality* and Southern Vassalage! Southern men, will you submit to the Degradation?" Less than a month after the election, the *Indianola Courier* scoffed at the commonly expressed Northern opinion that Unionism still survived in the South. "If there are any such, having affinity in principle," the editor wrote, "*they* are the 'traitors' in our midst, the spies in our camps, the *Tories* of our times. But [northerners] have no 'Southern brethren' unless they are the secret abolition emissaries who are prowling about the country for the purpose of inciting servile insurrections."⁶

Over Governor Houston's strenuous objections, an election for representatives to a convention to consider secession occurred January 8, 1861, and secessionists won a comfortable majority of the delegates. At the moment the polls closed in Austin, one Union-loving diarist recorded, the 130-foot secession pole and its Lone Star flag collapsed before a strong northern wind. Despite this omen, the convention began in Austin on January 28. Its proceedings lacked the agonizing self-searching and delay of those held later in Arkansas and Virginia, and on February 1 its members voted 166 to 8 to secede. A suggestion to submit the ordinance to a popular referendum aroused the only real debate, but even this proposal passed overwhelmingly. Delegate John Henry Brown supported such an election

so that all those men who had previously opposed secession could demonstrate their loyalty to Texas and to the South by casting favorable votes. Many former opponents, Brown believed, now saw it as "the only safe course." A vote would allow them to show that "they are at heart as true to the cause of the South" as the men who had always seen separate state secession followed by confederation as "the only path of safety."⁷

During the three weeks between the first session of the convention and the referendum on February 23, secessionists and Unionists canvassed the state. Although the *State Gazette* urged everyone to go "to the polls and vote our honest sentiments . . . like friends and neighbors," it refused to extend its openmindedness to the small number of "demagogues" whose "pestilential heresies" rendered them incapable of nonpartisan interest in the welfare of the South or of Texas. These men "are maddened by disappointment and defeat. For them, we have nothing to say." The editorialist foreshadowed the later intolerance toward such men when he offered to "raise the window and bid the noisy little fellows to fly away in peace and safety." Unionism, at least in the minds of some, had already become heresy, and its proponents were unwelcome in a state on the verge of secession.⁸

Unionist "heretics" found themselves overwhelmed, as "the people rose in their sovereignty" and endorsed the secession ordinance by a vote of 46,153 to 14,747. Only 18 of the state's 132 counties—mostly in the north and west—rejected the ordinance. Unionists all around the state accused the secessionists of fraud and intimidation. The *San Antonio Alamo Express* applauded San Antonio voters for defeating the secession ordinance "in the face of threats, bullying, menaces, and brow beating." Secessionist election officials forced long-time citizens to prove their eligibility and compelled foreign-born residents to prove their citizenship. In Brownsville, the Unionist postmaster recalled shortly after the war that "under whip and spur every secessionist was lashed to the polls"; "threats and inducements" convinced many to vote for secession "who believed neither in its right or policy." Armed men—including the district judge and county clerk—patrolled the polling places. They "slapped their hands on their revolvers" and "told me significantly never again to vote in Texas." Anson Mills, an Indianan living in El Paso, had to wear guns to the polls to cast one of the city's handful of negative votes.⁹

James P. Newcomb, the fiery young editor of the Unionist *Alamo Express*, wrote later during the war that lies, intimidation, and fraud had played a large role in the secessionists' victory. Yet, he complained, "we cannot escape the humiliating fact, that [Union men] stood by with folded arms and allowed the conspirators to presume their opinions, and commit them, soul and body, to the work of treason." Despite such accusations, the

Dallas Herald proudly declared, "Our citizens have acted nobly and have placed themselves 'all square.' We believe the Conservative men will defend the State of Texas when she consummates the act of secession, as warmly as the secessionists." The secession convention reassembled, ended all talk of a reborn Texas republic by joining the rest of the Lower South in the Confederate States of America, and promptly declared the governor's office vacant when Houston refused to take an oath to support the Confederacy.¹⁰

Secession in Texas, as in the other Confederate states, made southern rights and an acceptance of secession the bases of a new national loyalty, while confederation created an institution to which all Texans suddenly owed their allegiance. The absence of a powerful opposition to secession in Texas encouraged militant secessionists to crack down harshly and confidently whenever dissent surfaced during the months and years that followed. In many instances the men who were accused of disloyalty belonged to groups in Texas whose loyalty to southern principles—including secession—had always been suspect. Once the war began, they found it difficult to swear to uphold a government that they believed had usurped the powers of the United States. The course of events ran against them, however; by March 1861, in the words of an Austin Unionist: "Every man that is not willing to support the Southern Congress is to be beheaded."¹¹

The opposition to this sudden explosion of southern nationalism grew out of several diverse political traditions. When a number of prominent Texans met in May 1859, under the loose heading of National Democrats, the *Clarksville Standard* was not too far from the truth when it called these future antisecessionists a "promiscuous, heterogeneous conglomeration . . . of Old Line Whigs, Know-Nothings, Independents, Renegades, Bolters, Faggots, Stubs and Tail-ends of all parties."¹² Most antisecessionists in the state, however, emerged from one of two backgrounds: the Jacksonian minority in the Democratic party and the less-than-cohesive Whig opposition to the Democrats.¹³

Life-long Democrats such as Sam Houston and United States Congressman Andrew Jackson Hamilton called themselves Union Democrats by late in the 1850s. They worshipped the original Democrat, Andrew Jackson, and the Union he had preserved against the constitutional heresy of nullification. Houston, one of "Old Hickory's" protégés, declared in 1860 that "I have lived since early life a Jackson Democrat, and as such I shall live as long as I am on the soil of freedom, which has been baptized by the blood of better men than those who seek to inflict upon its vitals a wound no skill can ever cure." Shortly after Texas had seceded, Hamilton appeared before the Congressional Committee of Thirteen during its search for a compromise to the secession crisis. He lamented the breakup of the

Union and said that he had refused to leave Washington “until I [could] lay hold of the altar of my country, and implore Heaven” to end this conflict and restore the United States government, “the noblest structure yet devised by man.”¹⁴

Less-well-known Texans shared Hamilton’s sentimental devotion to the Union. “I have been raised in the South and as amatter [*sic*] of Course am Identified with the South,” A.B. Burleson wrote in November 1860, “but I am also Identified with this Government and I am oposed to its over throw.” An officer in the Texas Rangers, Burleson had already promised Governor Houston his help in putting down treason. In addition, the enthusiastic young Unionist had, in the true spirit of Jackson, nearly gotten into a fight with a neighbor over the issue of secession. “Dam him I will whip him if he does attempt to stope me from speakeing my sentiments at any place or time.”¹⁵

As Burleson’s letter indicates, the extent to which Texans espoused allegiance to the Union often hinged upon the extent to which they admired and were willing to follow Sam Houston, the state’s most famous citizen. His bold leadership and Jacksonian rhetoric had in the past attracted disciples as well as voters; unfortunately for Houston, many Texans found his course during the 1850s unpalatable and turned from the teachings of Jackson to those of John C. Calhoun and the “regular” Democrats of Texas. A small contingent rallied behind Houston, however, and they provided a significant opposition to southern radicalism and secession in Texas.¹⁶

The second branch of opposition to secession had its origins, ironically, in the “conservative” camp of the Democrats’ enemies. Old-line Whigs furnished the Democrats in Texas with their initial competition in the late 1840s and early 1850s.¹⁷ When the Whig party’s fragile system of alliances collapsed under the weight of internal disputes over slavery, many members experimented with the Know-Nothing party as a Unionist foil to the growing radicalism of the Democrats. Predictably, their relationship with northern antislavery Know-Nothings proved difficult to maintain and impossible to defend, and the party quickly folded after the 1856 election. Many of the Texas Know-Nothings then drifted into an alliance with the renegade Democrats in the “Opposition Clique,” which in 1859 temporarily made inroads into the regular Democrats’ control of the state when they managed to elect Sam Houston to the governorship. Finally, opponents of secession formed a Texas branch of the Constitutional Union party during the 1860 presidential contest in one last effort to head off radicalism in the state. The 1860 campaign motto of the *McKinney Messenger*—printed on the masthead throughout the fall—spoke for many of these men when it advocated “a union of conservatives, and the defeat of

sectionalism." A meeting of Constitutional Unionists in San Antonio late in August resolved that the disruptive issue of slavery should be removed from national politics and urged that the Constitution and laws of the United States—including fugitive slave laws—be strictly obeyed. The resolutions also included a Whiggish reminder that the Union could "be preserved as a fountain of perennial blessings" only if "reconciliation, fraternity, and forbearance" characterized the actions of Americans at this crucial juncture in their history. By the beginning of 1861, their common response to the sectional crisis had blurred the boundaries between Union Democrats, Whigs, and Know-Nothings; each group desperately sought conservative answers to radical questions.¹⁸

Members of this Unionist coalition issued an "Address to the People of Texas" in January 1861, in an attempt to persuade Texans that secession was not in their best interests and that the convention that would soon meet to debate the question of secession was illegal. Southerners, said the proclamation, should not destroy a government "which is, in most respects, the best in the world," merely because of a difference of opinion on "one or two subjects." Rather than solving all of the South's problems, secession would create new ones—such as high taxes, discriminatory legislation that would divide slaveholders and nonslaveholders, and the need for a large standing army to keep the ever-increasing slave population under control. The Unionists urged Texans to "act with calmness, with dignity, and with a proper appreciation of the momentous issues before them," and to reject the bold but foolhardy course promoted by the secessionists.¹⁹

Conservatives and other Unionists suffered their final defeat when Texans ignored their advice and overwhelmingly approved the secession ordinance in February, but a few Texans launched their own small counter-revolutions. A groundskeeper complained to convention president O. M. Roberts that someone had attempted to tear down the Texas flag flying over the capitol. The Unionist *Southern Intelligencer* changed its front-page motto from "The World is too Much Governed," to "Texas is too Much Governed by Conventions." James W. Thomas, Unionist editor of the *McKinney Messenger*, promised to carry on the fight against "tyrants and usurpers . . . so long as freedom of opinion is tolerated." Perhaps the most spontaneous act of resistance came in March during the Confederate oath-taking ceremony at the capitol. When Gov. Edward Clark, Houston's lieutenant governor and successor, rose to swear his allegiance, a young woman spat from the gallery directly onto the Ordinance of Secession lying on the podium before him.²⁰

Yet such displays were the exception. Loyalty to section usually prevailed over loyalty to nation, and most Unionists ruled out any sort of challenge to the new order. Some came to believe that the federal govern-

ment under the control of the Republicans actually endangered their way of life, others turned into fire-eaters in response to the federal government's decision to force the seceded states back into the Union, and many others simply resigned themselves to accepting the South's fate as their own. Doubtless many agreed with Collin County's Abraham Enloe, who in January wrote, "I am a Union man I was born under the United States Constitution I have staid under till I am in my 59th year I am satisfied to remain so if we can Enjoy our usual Lights & liberties if not do as our fore fathers Has done before us fight for liberty liberty or death I must have." These were the conditional Unionists, men whose loyalty to the United States had never wavered until the federal government actually threatened southern rights, southern security, or slavery. By the spring of 1861, they had joined the majority of Texans in resisting federal coercion and in shifting their loyalty to a government that seemed dedicated to protecting the rights and principles of southerners.²¹

This transformation from Unionism to secessionism reveals the delicate nature of the loyalty of many southerners and the way that most of them gradually edged toward conformity. In Texas, the change was demonstrated by Henry A. Maltby, editor of the *Corpus Christi Ranchero*. In January 1860, Maltby artfully linked the sectional crisis with the current problems on the Rio Grande, and urged politicians in the United States to end the debate over slavery and to join forces to conquer Mexico. This would solve the border problem, provide markets for northern manufacturers and land for southern slaveholders, and take everyone's mind off the sticky slavery question. "To cut each other's throats for niggers is certainly absurd," he wrote, "and we have come to the very banks of the Rubicon which only madmen would attempt to pass." In June, Maltby urged his readers to "Pay no attention to demagogues and we are safe, listen to them, do as they bid, and the Union is doomed." In the same issue, the paper endorsed the Southern Democrat Breckinridge for president as the only candidate with a prayer of defeating Lincoln.

The conditional nature of Maltby's Unionism surfaced after Lincoln's election. On November 10, an editorial deplored the growing spirit of disunion in the southern states. A fortnight later a report appeared of "an unmistakable disposition" to "never . . . submit to the humiliation which now threatens the South." A long list of wrongs committed by the Republicans against the South accompanied it, but conspicuously absent was Maltby's usual plea to ignore fanatics. By early January, articles in the *Ranchero* promoted secession and warned that any delay would be disastrous. On February 2, the *Ranchero* declared that separation was a matter of self-preservation, if nothing else, and two months later it predicted that separation would be peaceful, permanent, and prosperous. By April 20,

when news of the fighting at Fort Sumter reached Texas, Maltby had completed his 180-degree turnabout. "Those who are not for us, are against us," he proclaimed. "Is there a man in the south who . . . can proclaim himself an ally, confederate or apologist of the Black Republicans, or a passive submissionist to their doctrine of coercion? We hope not." The editor of the *Corpus Christi Ranchero*, like many other Texans, had made the transition from a legitimate dissent against southern extremism to an acceptance of the logic, necessity, and patriotism of disunion. Those Texans who refused to make that change found the road they traveled during the next four years littered with obstacles that tested their loyalty to the Union and guarded by vigilant sentries eager to punish them for their heresies.²²

Fellow travelers along that road came from the state's blacks, Germans, and Hispanics—the largest groups of "outsiders" in Texas society in 1861. Together they amounted to well over a third (37.4 percent) of Texas's 1860 population of 604,215. Blacks—182,566 slaves and 355 free negroes constituted 30.3 percent of the population—were inextricably connected to the questions of how southern society should be shaped and of whites' loyalty to the South. Although they did not participate in the politics of Texas, they obviously did not support slavery and were frequently suspected of mounting insurrections against the institution. Their imagined roles as rebels in 1860 had helped push Texans toward secession, and the response of whites to slavery often determined whether or not they would be considered loyal or disloyal. As a result, even at a time when blacks enjoyed no tangible power within the larger society, they cast a very long shadow over the thoughts and deeds of Texans. The relatively small but geographically concentrated and highly visible groups of Germans and Mexicans enjoyed normal political and legal rights, but as "outsiders" they had to work harder than Anglos to prove their loyalty to the South and to Texas. Mexicans rarely fit into southern or even Texan society, and by the time the war began some no doubt hoped for the defeat of their age-old enemies. These attitudes led white Texans to question the loyalty of Mexican-Texans to their adopted state—or, more accurately, to the state and the nation that had unilaterally "adopted" them. A minority of Germans, however, created unfavorable perceptions of all Germans by publicly challenging the institution of slavery. Although most Germans denied affiliation with this group, suspicion of their loyalty lingered and made their situation difficult during the Civil War and Reconstruction.²³

After several decades of immigration, by 1860 the 30,000 Texans of German stock accounted for 7 percent of the state's free population and 5 percent of its total population. For most of the 1840s, colonizers lured Germans to southern and eastern Texas. Many settled in San Antonio,

Galveston, and Houston, while others formed rural communities that for generations reflected their German heritage. After 1848, a new wave of immigration brought a different strain of German immigrant to Texas. These "Forty-eighters," refugees from the failed German revolution of 1848, settled on the western frontier in the counties of Gillespie, Mason, Kerr, and Medina. The first contingent of German immigrants was provincial and conservative and had accepted with few reservations the predominant states' rights philosophy in Texas. Their revolutionary experiences in Europe had shaped the opinions of the second group, however. As republicans, nationalists, and liberals, these intellectuals were accustomed to challenging authority and the existing state of society. Some of these later German colonies went so far as to ban slavery.²⁴

Despite the presence of abolitionism among Germans, the actions of most foreign-born settlers gave Texans no reason to suspect their loyalty. The thrifty and industrious Germans cemented their interests to those of other Texans and quickly fit into the Texas economy as small farmers or as craftsmen in the larger towns. Most of them indicated their willingness to abide by Texas political norms by following their American neighbors into the Democratic party. The actions of the more recently arrived and less predictable liberals, however, led Texans to suspect the loyalty of all Germans. In May 1854, the liberals met in San Antonio during the annual *Saengerfest* and issued a series of resolutions later called the "San Antonio Platform." The platform contained a number of progressive social, political, and religious reforms, but its most volatile plank—as well as its most publicized—declared "that slavery is an evil, whose final removal is essential to the foundation of democracy" and urged southern state governments to take steps to eliminate the institution.²⁵

The San Antonio meeting inspired a storm of criticism and sparked a scramble by the majority of Germans to divorce themselves from the abolitionism of a few of their countrymen. Several hundred Germans met in New Braunfels to disapprove "in the highest degree" of the actions taken by the San Antonio convention. The meeting closed with three cheers for the Constitution and for Texas, followed by an enthusiastic parade through town. Alexander Rossey informed the *Dallas Herald* that the delegates at San Antonio did not speak for the majority of the Germans in Texas. This is not to say that most Germans favored slavery. Rossey admitted that "the German population . . . is very delicately situated with reference to this question, socially and politically," and, in fact, most Germans opposed slavery. Frederick Law Olmsted, the Yankee who toured Texas before the controversy, confirmed Rossey's assertion and contended that most Texans were wary of the Germans' antislavery views. On the other hand, he wrote, Germans were "sensitive to the overbearing propensities" of planters

"accustomed to regard all neighbors out of their own class as White Trash."²⁶

The difference between the minority who approved of the San Antonio platform and the majority who tried to disassociate themselves from it was that the former—as often as not revolutionary refugees—hoped to turn their beliefs into actions, while the latter—often people who had lived and worked in the South for over a decade—believed it was impractical as well as impolitic to express opinions antagonistic to the slaveholders who dominated Texas.

The Germans' internal debate provided ammunition for the fledgling American party in Texas. The San Antonio platform seemed to verify the party's nativist arguments and at the same time offered the generally Unionist Know-Nothings a chance to establish their proslavery credentials. The platform suggested that the Germans in Texas represented a threat to slavery and to southern institutions, despite the conservative Germans' violent denunciations of the minority's actions. When Adolf Douai, liberal editor of the German-language *San Antonio Zeitung*, came out in support of the San Antonio platform, his colleagues around the state denounced him as a Free-Soiler and suggested that he be banished, tarred and feathered, or even drowned. His enemies finally forced him to leave Texas in 1856. The debate raged through the election of 1856, when the Know-Nothings faded from Texas politics. The attack ultimately confirmed the Germans' membership in the Democratic party and enforced an orthodoxy among them on the question of slavery that had not previously existed, an orthodoxy that was strengthened during the insurrection scare of 1860.²⁷

Significantly, during the election of 1860, the editors of two of the state's leading German-language newspapers sounded like any other pair of Texan editors who disagreed over secession. Neither Ferdinand Flake of the Galveston *Die Union* nor Ferdinand J. Lindheimer of the *Neu Braunfelsener Zeitung* considered himself an abolitionist, and both defended the right to own slaves. Like many Texans, however, they differed over the value to the South of the Union. Both were Democrats, but supported different presidential candidates in 1860. Flake favored Douglas and shared with the diminutive Illinoisan a sentimental Jacksonian love for the Union. Lindheimer endorsed Breckinridge and, like many Southern Democrats, stressed the practical benefits the Union offered. Both approached secession cautiously, but after Lincoln's election Lindheimer asserted that the question had become a matter of sacrificing "the South to the Union or the Union to the South." Flake refused to give up, and even after the secession convention adjourned he wrote that he still hoped "in the last hour, to see the Union saved." Flake's stubbornness led an angry

mob to destroy his press in early January 1861. By spring, Flake had reluctantly pledged his support to the Confederacy.²⁸

Even though these two influential Germans remained well within the southern mainstream in their approach to slavery and the Union, a suspicion of Germans lingered among Anglo-Texans. One rumor alleged that the Germans were involved in the slave insurrection of 1860, and the somewhat less-than-enthusiastic reception of secession by the Germans in 1861—four German-dominated counties in West Texas voted against the secession ordinance—seemed to underscore their tenuous loyalty to the southern cause. The reactions of many Germans to wartime pressures would amplify these doubts and perceptions and bring down on Texas Germans the wrath of vigilant Confederates.²⁹

The antebellum and wartime persecution of the 12,443 Mexican-born residents of Texas (2.1 percent of the total population) had little to do with politics, although the traditional bloc voting of Mexicans in Texas border towns and in San Antonio drew much criticism from Anglo opponents. Rather, the Anglos' exaggerated perception of Mexican disloyalty was a function of the complex relationships among Mexicans, Anglos, and Afro-American slaves. Ever since American settlers began arriving in Texas in the 1820s, racism, economic conflict, and the frequent warfare between Texas and Mexico had poisoned relations between Anglos and Mexican residents of Texas, or *tejanos*. Exceptions came out of a tiny minority of *tejanos*, represented by the Benavides family of Laredo and a few other wealthy landholders, who sought the economic benefits stability would bring to the borderlands. As a result, they identified more with the Anglo population than with the Mexican, and to a fairly large extent were exempt from the penalties normally associated with their race in Texas.³⁰

Despite such highly visible examples, to white Protestant Texans, Catholic Mexicans appeared lazy, ignorant, immoral, shiftless, dirty, superstitious, and doomed to subservience. The latter's wretched economic position—caused in part by the Anglo practice of seizing Mexican land through complicated legal maneuvers or by forcing sale at ludicrously low prices—encouraged racial arrogance. The primary conflict lay, however, in the Mexicans' antipathy toward slavery and their friendly acceptance of blacks as equals. "Not only [do Mexicans] consider a nigger equal with themselves," complained the *Corpus Christi Ranchero*, "but they actually court the company of the Negroes." Worse still, white Texans believed that Mexicans often helped slaves to escape, and they usually blamed the Mexicans for instigating slave rebellions. In the mid-1850s, Texans mounted an expedition that drove across the border in search of fugitive slaves.³¹

Frederick Law Olmsted accurately portrayed Texans' attitudes toward

Mexicans when he wrote that the latter “were regarded in a somewhat unchristian tone, not as heretics or heathen to be converted with flannel and tracts, but rather as vermin, to be exterminated.” He characteristically emphasized the Mexicans’ “abhorrence” of slavery and noted that “they consort freely with the negroes, making no distinction from pride of race.” This inspired a “standing joke” in Texas taverns that he claimed to have heard at least fifty times. The gist of it was: “a nigger in Mexico is just as good as a white man, and if you don’t treat him civilly he will have you hauled up and fined by an *alcalde* [mayor].” Listeners always greeted the notion that a black person deserved the same legal rights as a white with “great amusement.” A former slave named Felix Haywood attested to the Mexicans’ compassion for black slaves. “In Mexico,” he declared, “you could be free. They didn’t care what color you was, black, white, yellow or blue.” Haywood claimed that hundreds of slaves escaped to Mexico. The *tejanos*’ lack of prejudice against blacks seemed to endanger the institution of slavery, and Olmsted found that whenever slaveholders moved into a region, “it has been found necessary to treat [the Mexicans] as outlaws,” to drive them from their homes, and to forbid them “on pain of no less punishment than instant death, to return to the vicinity of the plantations.” A woman near Victoria summarized the attitudes and wishes of white Texans when she told Olmsted that, “white folks and Mexicans were never made to live together, anyhow, and the Mexicans had no business here.” Since the law protected them so well, “the Americans would just have to get together and drive them all out of the country.”³²

Texans did, in fact, drive a good many Hispanics out of Texas in the years after the Texas Revolutionary War. Even Juan Seguín, a hero at San Jacinto, had to leave after his life was threatened in the 1840s. In 1857, American teamsters murdered seventy-five Hispanic competitors in the famous “Cart War”; their violence succeeded in driving most Mexican cartmen out of San Antonio. In the Rio Grande Valley, Anglo ranchers established their dominance just as surely as their central-Texas counterparts, but in a different way. Rather than eliminating Mexican rivals, Americans tended to assume the traditional roles of the Mexican elite and worked out a patriarchal accommodation with their *peones* and *vaqueros*—their manual laborers and cowboys.³³

A generation of racial struggles culminated in the fall of 1859. That autumn, a landed *tejano* named Juan Cortina gathered a large band of Mexicans from both sides of the border and terrorized the region around Brownsville. Cortina’s men burned ranches, murdered several Anglos, and actually occupied Brownsville for a short time, while Texans grew hysterical. The *Corpus Christi Ranchero* called Cortina’s supporters in the Rio Grande Valley “idle, vicious, depraved, thievish, ignorant and

fanatical," and predicted that unless the legislature put a stop to such brigandism, "an endless war of the races will be the result." The *Navarro Express* in Corsicana recalled the previous instances of war between Texas and Mexico, when "an American expected none, neither did he ask any quarter from a Mexican." During those "dark days of Texas . . . an empire was wrested from their grasp." The *Express* warned "the nondescript and *priest ridden* Government of Mexico" to "look well to its territory! A day of reckoning is close at hand . . . when the nationality of Mexico will have 'gone glimmering,' and its name and race be numbered among the things that were." The Mexican government managed to survive, and a contingent of Texas Rangers finally defeated Cortina. But the episode symbolized the decades of what amounted to a cold war along the Rio Grande, served to further embitter Texans against Mexicans, and raised serious doubts about the loyalty of the Mexicans living in Texas.³⁴

To be sure, many Germans and Mexicans later distinguished themselves in the Confederate army or in state militia organizations, endured wartime taxes and privations, and fulfilled their "duty" in a number of other ways. But like the minority of white, American-born Texans who refused to bear allegiance to the Confederacy, the minority of Germans and Mexicans who actively dissented based their dissent on prewar experiences. In the same fashion, Texans drew on ideas and attitudes formulated before Texas had seceded from the Union and before any shots were fired at Fort Sumter to create their perceptions of disloyalty among the "foreigners" in their midst.³⁵

But not all disloyal southerners or Texans came from political or ethnic minority groups. Indeed, only wartime conditions can explain the dissidence of many Texans. As what Morton Grodzins characterizes as indolent patriots, they went along with secession and remained nominally loyal to the Confederacy and to their state until their lives were somehow adversely affected by this relationship. Only when their "life-situations" warranted a change did they withdraw their loyalty from the Confederacy and, in effect, become free agents, loyal only to themselves and hoping only to get through the war with life, limb, and property intact. Even the sanctions exerted against them by the various government authorities proved incapable of enforcing the loyalty of the entire population.³⁶

Dissent against southern values and against the Confederacy originated from a number of sources in Texas. A common denominator, however, was the explicit or implied criticism of southern society reflected in the reasons some Texans dissented. Virtually none of the Unionists advocated the end of slavery or of any other important southern institutions, but they did fear that secession—or the implementation of any of a number

of radical southern proposals—would threaten the economy and security of southern society. Blacks played a rather passive role in all of this, but their mere presence, and the knowledge among even the most enthusiastic supporters of slavery that they would, if possible, change their status, informed the perceptions and actions of other Texans. A large minority of Germans approved of very little in the social, economic, and political systems of the South; their statements earned all Texans of German stock the enmity of the state's Anglo-Saxons. Finally, most of the state's tejanos, as outsiders in their native land, had no reason to support slavery or any other southern bulwark. The society over which everyone was fighting held few opportunities for them. By the same token, few Mexican-Texans shared the Germans' love for the Union, since they enjoyed few kinship or political ties to the rest of the Union.

The groundswell of apparent unanimity among Texans during their surge toward secession put these anti- and nonsecessionists on the defensive and kept them there for four years. Some reluctantly joined the Confederate cause, others defied the rebels and actively worked for a Union victory, while many simply kept their heads down and stayed out of the way of their local vigilance committees and provost marshalls. John T. Allan seemed to understand the confusion and danger that faced Unionists and other non-Confederates. "Fogs and mists envelope the future," he wrote a few days after the war began at Fort Sumter. "Yet I hope for the best, while attempting to peer through the gloom." The war years would further heighten differences among Texans, and provide even greater opportunities for demonstrations of loyalty and vigilance.³⁷

The Confederate Unionists and the War

James W. Throckmorton begat a legend when he rose to cast his vote on the Texas secession ordinance in February 1861. "In the presence of God and my country—and unawed by the wild spirit of revolution around me," he declared to the assembled delegates in the Austin convention, "I vote 'no!'" When secessionist hisses drowned out the scattering of Unionist cheers in the gallery, Throckmorton added, "Mr. President, when the rabble hiss, well may patriots tremble!" Convention president O.M. Roberts finally quieted the noisy mixture of outrage at and admiration for Throckmorton's courage, and the roll call continued. During the celebration that followed the one-sided vote of 166 to 8, Throckmorton and six of the other men who voted against secession slipped out of the capitol and posed for a group portrait. The photograph of the seven stern, weary men was neither printed nor displayed in Texas for sixty-six years.¹

Throckmorton represented those southern men who clung to the Union until the last possible moment, then reluctantly gathered their courage and honor to follow their states into civil war. Not all Confederate Unionists matched Throckmorton's indignation over secession and subsequent grim service to the Confederate cause, but many shared his desire to preserve southern institutions and society—especially the liberties of individual southerners—from Rebels as well as Yankees. Like Throckmorton, many Confederate Unionists had been Whigs, and they carried their Whig conservatism with them into their careers as Confederate politicians, soldiers, or citizens. And like Throckmorton, they were alarmed by the fatal political factionalism that soon divided the Confederacy, by the waning spirit of the southern people in the face of shortages and hardships, by the flagging enthusiasm of prewar fire-eaters during the dark years of fire and death, and by what they believed was a growing disregard within the Confederate government for the civil rights of southern citizens.

It is not surprising that these steadfast Unionists turned into Con-

federates. Their Unionism was a condition of their southernism, and although their ideals lodged them solidly between the proverbial rock and a hard place, they could not turn their energies against home and kin. Their state and region needed their talents and experience, and they naturally took their places as leaders and public servants. They opposed secession, but their hatred of radicalism also led them to condemn abolitionism. In their fight against the latter, they refused to acquiesce to what they saw as abuses by men who initiated the former. They acquired roles as watchdogs of the Confederacy, trying to keep the war on a course consistent with their own perceptions of the southern cause.

In 1860 and 1861 they expected fellow conservatives in the North to slow the sectional strife sown by Republicans, but were disappointed. Reluctantly, they went to war, expecting Confederate leaders to hold on course the revolution they had made. They were disappointed in those hopes, too. In many ways, these men who at times explored the frontiers of loyalty to the South were more loyal than men who had never questioned the necessity or wisdom of secession; they hated the sunshine patriots who had led the South into war and then carefully got out of the line of fire when the shooting started. They mourned the destruction of their union, and resented having to choose between their country and their homes. The agony of that decision made them determined rebels fighting, in the end, for a cause they had not made.

James Throckmorton delivered his “no” vote against secession on his thirty-sixth birthday. A native of Tennessee, he moved with his family to Arkansas and then to Texas, settling in Collin County in 1842, near what became McKinney. After schooling in Kentucky and army service in the Mexican War, Throckmorton practiced medicine in Texas until 1851, when he was elected as a Whig to the state house of representatives from Collin, Johnson, Baccus, and Denton counties. His constituents reelected him twice and in 1857 sent him to the state senate.²

Throckmorton devoted much of his career in the legislature to promoting railroads and to untangling old land-claim controversies in his district. As a Whig and a Unionist, Throckmorton helped lead the Opposition party in Texas, and by 1859, he followed Sam Houston’s lead in believing that slavery and southern rights could best be protected within the Union. Throckmorton tried to prevent the holding of a secession convention, then won election as a Unionist delegate from Collin County. After he voted against secession at the convention, he campaigned to defeat the ordinance in the state referendum and opposed the adoption by the convention of the Confederate Constitution. Nevertheless, when the convention reassembled in March to execute the will of the people, Throckmorton

accepted the results. "The die is cast," he said grimly, in words echoed by Unionists all over the South, "the step has been taken, and regardless of consequences I expect and intend to share the fortunes of my friends and neighbors." Residents of his home county of Collin mirrored his actions. They defeated the secession ordinance by more than a two-to-one margin, and at a public meeting in McKinney in late April denounced all of the actions of the Austin convention. Nevertheless, now that a war "which we had no part in bringing on" had broken out, Collin County accepted her collective duty as "citizens true and loyal," and marched to war with Throckmorton.³

Throckmorton did not promise to share his friends' fortunes lightly. He promptly took the oath of allegiance to the Confederacy, helped raise a regiment of volunteers, and led his men into combat in the Indian Territory, at Elk Horn Tavern in Arkansas, and in Louisiana; he sat in the state senate during a crucial wartime session; he received brigadier's stars from the state and Confederate governments; and he finished the war as a Confederate Indian commissioner.⁴

Despite his steady service to the Confederacy, Throckmorton believed that the cause had been lost from the beginning, despaired at the death and destruction inflicted upon his section, and seethed at the incompetence, corruption, and inconstancy demonstrated by Confederate leaders. He conveyed many of these thoughts in a January 1862 letter to his friend and fellow Unionist, Benjamin H. Epperson of Red River County.⁵ Throckmorton mourned the death in the 1850s of "the good old Whigh [*sic*] party and its principles," and wistfully remembered his vision of a bright future. But corruption crept into the federal government and the major political parties; the people "suffered themselves [to be] lead [*sic*] hither & thither by demagogues, until suddenly they now find themselves involved in a bloody civil war & difficulties out of which there is no pathway or passage but what is marked with ruin & blood."

Throckmorton attacked those arch secessionists who in 1861 had foolishly predicted a peaceful withdrawal from the Union, "who have reviled & slandered and traduced" those who opposed secession. Yet, while Throckmorton and other true patriots endured the "cold & merciless storms of winter," the very men who had led the South to war were "nestling close to comfortable fiers [*sic*] with their household idols around them." For those men, who had forsaken "the flag of that section which they professed to love so well," Throckmorton had nothing but contempt. "I regard them not—and only regret that our country's air should be polluted by their poisonous breath—which stinks in the nostrils of evry [*sic*] patriot."

Throckmorton voiced his dismay at the rumors of corruption and

factionalism that had already surfaced in the infant Confederacy. He was not sure where the problems lay, "but certain it is [that] their [*sic*] is imbicility or corruption some where." The presence in the Confederate government of the factionalism and the malfeasance that he believed had ruined the old Union angered Throckmorton. "Surely it can not be so," he protested. "The man or men must be corrupt indeed who would, at such a time as this when we are groaning under the burthens of war, forget a patriots duty and seek self aggrandizement at the expense of, perhaps, the very existence of our Nationality."

Throckmorton failed to exorcise all his demons of despair in the twelve-page jeremiad, and later letters to Epperson revealed more of his Whiggish, Unionist concerns with the conduct and loyalty of his fellow southerners. In February 1864, Throckmorton—at this time a state senator—confessed that recent war news "has given me the real blue devils all over." He attributed the "depression & want of confidence" in the southern people at this depressing stage of the war to the fact that "the great heart of the southern people was not in this contest at the beginning" and to their lack of confidence in the Confederate leaders, who were now "astounded & overwhelmed with the difficulties allready encountered" in the war for independence.⁶

Throckmorton demonstrated the characteristic Unionist concern about civil rights violations, even when they stemmed from the Confederate government's attempts to prosecute the war. In June 1864, he approved the dissenting opinion of Associate Justice James H. Bell of the Texas Supreme Court, who denied the constitutionality of conscription. "It is of pure metal," he wrote, "and will stand high in future as among the ablest papers in exposition of our form of government, and in vindication of the rights of the people." He protested to Gov. Pendleton Murrah the illegal arrest and mistreatment of one Isaac Ward later in the year. "This species of outrage, and of a much more serious & reprehensible character," he complained, "have been continually practiced upon the people of the frontier." Throckmorton hated these activities because they violated the constitutional liberties of the people, but on a more practical level he feared that the victims of such abuses "cannot be relied upon or expected to sustain the cause of our country."⁷

Throckmorton also attacked the Confederacy's treatment of its citizens on the floor of the state senate. In the fall of 1864, the senate considered declaring that only the Confederate government had the power to make peace with the North and that Texas would never consent to reconstruction. Throckmorton substituted a set of resolutions that refused to dismiss a negotiated end to the war. When Sen. Chauncey Shepard of Brenham declared that "blood would flow & any man who talked of reconstruction

would be hanged," Throckmorton retorted with a long speech that began with a review of the course of the war thus far. He described the early enthusiasm of the southern people, and "how they flocked to the standard in the beginning." But ever since that time, the Confederate government had done nothing but rob them of their liberty and property. He castigated the conscription laws, the suspension of habeas corpus, the currency and impressment acts, the mismanagement of military matters, and sundry other "unconstitutional burdens & petty exactions heaped upon the people." If the war ended in Confederate defeat, he declared, "these were the causes that would lead to it." Throckmorton reminded the senate of the immense amount of territory lost by the Confederate army and of the gradually rising maximum conscription age, and predicted that one day the Confederate armies, manned by 100-year-old men, would be driven all the way to the Gulf coast. And even then, after so much hardship, suffering, and death, if a survivor—an old man, or widow, or "blood stained soldier who had fought from Manasas to Gettysburg's bloody field"—should happen to let slip that he favored some sort of reconstruction in order to end the carnage, he would "be set upon by a mob of fanatics, who had contributed neither blood nor treasure, and be treated to a rope & a limb because he dared to express himself as a free[m]an." Throckmorton finally finished, and sat down, in what he remembered as a "death like stillness."

His eloquence went for naught, as the legislature passed a number of tough-sounding resolutions. They reminded Texans that northern aggression had started the war, denied that the South was fighting merely to preserve slavery, stated that the terrible atrocities committed by northern armies eliminated any hope of reunion, and declared, "we are forbidden to admit a thought of further association with the people of the North." Nevertheless, Throckmorton wrote Epperson that his two-hour speech had opened "a new era . . . in this revolution," when "one man was found who dared speak out, and who had the temerity to lay bare the hideous gaping wounds that were festering & cankering in the public heart." With a trace of perverse pride he believed that the colleagues who avoided him after the speech actually thought he might be arrested for sedition.⁸

Throckmorton's contempt toward the vigilance with which some Texans planned to enforce Confederate loyalty and his dissent against the policies of the Confederate government betrayed his own flirtation with what many of his colleagues would have labeled disloyalty. His passion for protecting the rights of Texans—even those who dissented from the southern gospel—sprang from his own agonizing decision to submit to secession, from his acute awareness of the weaknesses of the southern military position, and especially from his distrust of southern leaders whose deci-

sions to become Confederates had been much easier for them than Throckmorton's had been for him. Although his prewar conservatism led him to oppose revolutions against both the United States and the Confederate States, it also inspired him to oppose violations of the liberty that his new country fought to protect. Throckmorton and others like him validated their loyalty to the Confederacy—a loyalty to which they clung tightly because of their difficult personal decisions to become rebels—by attempting to keep the South true to its original goals of guaranteeing individual liberties and freedom from meddling outsiders.

Throckmorton represents those southerners who could not join in the wild celebrations that accompanied secession in many southern states and towns. For them, pledging their loyalty to the new government was a matter of duty, not choice. The South Carolinian Alfred Huger wrote Benjamin Perry “that my life had been prolong’d beyond what my own happiness would have required as its end,” but vowed to stand with his state. If she was invaded, or “her soil saturated with the blood of her children! whether she be right or wrong, where can I be, but in the middle of her desolation! meeting her destiny & sharing her Sorrows?” Other Unionists were less morbid, believing that they must make the best of a bad situation. North Carolina Congressman Zebulon Vance wrote from Washington, D.C., that “we are swallowed up and hurried along the rushing tides of time.” Now was the time to “prepare . . . for our safety and honor, by steering with, and not against the rushing volume. Unable to do as we wish, we must do as we can.” An Arkansas diarist contributed money to a local volunteer company, admitting that “the trouble is on us and . . . we must defend our own borders at all events. Wicked men have brought it on us but it is too late now to look to that, we must make the best fight we can.” Alexander Stephens stated succinctly in February 1861, that “we are now in the midst of a revolution. . . . It is bootless to argue the causes that produced it. . . . The wise man—the patriot and statesman in either section—will take the fact as it exists, and do the best he can under the circumstances.”⁹

In swallowing the bitter pill of secession, most Unionists grimly granted their support and service to their states and to the Confederacy. Vance became colonel of a volunteer regiment and later served two terms as wartime governor of North Carolina, while Stephens, of course, accepted the vice presidency of the Confederate states. Even the life-long Unionist Benjamin F. Perry of South Carolina found ways to contribute to the southern war effort. When his state seceded, he wrote, “the American People seem demented. . . . They are exulting over the destruction of the best and wisest form of government ever vouched by God to man. Fools &

wicked fools they know not what they do." Nevertheless, Perry acted as a lieutenant of a home guard company, as a state legislator, and as a Confederate confiscation agent, recruiter, and district judge.¹⁰

Perhaps the most reluctant rebel on record in Texas was Walter Hyns, the son of a Smith County planter and slaveowner. A family slave called her master "the most hard hearted man I ever seen" for sending Walter to war against his wishes. "Walter was the best one of the family and his father just hated him cause he would take up for us niggers, so he made him go to war." Walter defiantly told his father the morning he left "that he wasn't fighting to keep the slaves, he was fighting to free them, that he wanted to be killed." The boy's mother "told him [if] he thought so much of the niggers he would be better off dead." Sure enough, "he was killed, just blowed to pieces, they could not find enough to send him home."¹¹

Of course, Texas Confederates rarely went so far as Walter Hyns in their opposition to the war. In fact, the reactions of Texas Unionists to secession varied widely. Few contributed so much to and at the same time dissented so bitterly against the Confederacy as James Throckmorton. But a number of the state's leading Unionists—like antiseccessionists all over the South—entered the Confederate service when it became apparent that their only alternative was to commit treason against their state and their region. The federal government's aggressive policies following the attack on Fort Sumter removed the last doubts from the minds of many former Unionists. At least two of the men who voted with Throckmorton against secession at the Austin convention—Thomas P. Hughes and Lemuel Hardin Williams, both of Lamar County—joined the army and fulfilled their duty as loyal Texans and southerners. Another active Lamar County Unionist, E. L. Dohoney, believed that secession had been accomplished only "by a species of fallacious reasoning, and by bulldozing," but chose state loyalty over national loyalty and recruited his own company of rebels. He ended the war as a captain, but not without objecting to the conscription act as "one of the most despotic laws ever enacted." His stand on civil rights was not as consistent as it might have been, however; he also collected the hated Confederate tax-in-kind.¹²

Robert H. Taylor, a Bonham lawyer and legislator, had early in 1861 pleaded with the special session of the legislature to halt Texas's march toward secession. "I want my people to wake up, think for themselves, act like men who have rights to lose," he shouted, "we must forget partisanship & personal gain and save the Union." Nevertheless, when secession finally occurred, he wrote to Benjamin H. Epperson, "let it not be said that you & I were laggard." He urged Epperson to join the war effort, so that "in the future none can say th[at] we led the opposition to secession

& then stood by and saw the country go to the Devil without staying the tide of war." Taylor followed his own advice, and despite his ardor for the union, he raised three regiments for the Confederate service.¹³

Epperson, James Throckmorton's best friend and fellow Unionist, followed Throckmorton into the Confederacy. A game leg kept him out of the army, but he willingly granted the South his political and economic support. A Texas resident since the early 1840s, Epperson was a Red River County lawyer, railroad promoter, and state representative. In politics he was, consecutively, a Whig, a Know-Nothing, and a candidate for Constitutional Union presidential elector in 1860, as well as a confidant of Governor Houston, Throckmorton and most of the other prominent Unionists in Texas.¹⁴

With Throckmorton, Epperson fought secession in North Texas (45 percent of the citizens in his Red River County voted against secession), but when Texas finally seceded, he reluctantly but firmly made the transition to Confederate Unionist. He participated in public meetings and helped organize and outfit local militia companies. Epperson demonstrated his commitment to the Confederacy in the fall of 1861 when he ran for the Confederate Congress from Texas's Sixth District, but his close association with the antisecession movement in Texas cost him the election. Epperson returned to his law practice in Clarksville after his defeat, and took no more part in Texas politics during the war, although he contributed funds to the Confederate cause.¹⁵

Other noted Texas Unionists served the Confederacy in less notable ways. The third Lamar County delegate to vote "no" at the secession convention, George W. Wright, acted as an agent, arms buyer, and provost marshal for the Confederacy. Several men who had fought for Texas independence became reluctant Confederates who once again served their national government—the fourth under which they had lived. The most famous of these was Thomas F. McKinney, one of Stephen F. Austin's "old three hundred" and a staunch supporter of the Union. He had ordered the first shot of the Texas Revolution and was an important financial benefactor of the Republic of Texas. Just after Lincoln's election he wrote that the violation of the fugitive slave law was the South's only real grievance, but that problem "has existed for years, and we have born it, why now fly off all at once because Mr. Lincoln has been constitutionally elected?" He urged fellow southerners to "hold on for all time to come to the glorious Union . . . and that celestial flag, the Stars and Stripes," and, if other southerners or northerners chose to commit treason, "let us hurl them out." Nevertheless, when Texas withdrew from the Union, the sixty-four-year-old pioneer went with it and signed on as an agent for the Confederate government.¹⁶

Some Unionists, although they submitted to secession and to Confederation, gave only a grudging allegiance to the Confederacy. The best known Texan trapped in this nightmare of conflicting loyalties was Sam Houston. As the most famous hero of the Texas Revolution, as president of the Republic of Texas, and as senator and governor of Texas after it became a state, Houston, despite frequent criticism, dominated Texas politics for a quarter of a century. In 1852, the state's Democratic party platform boosted Houston for the national party's presidential nomination, reminding Democrats everywhere that he was "the hero of San Jacinto" and "a patriot, chieftain, and statesman eminently worthy to be the standard bearer of the party." Nine years later, however, a Texas newspaper labeled Houston's attempts to prevent the secession of his beloved state as "a labored effort to bamboozle the people, whom he has tried to lead by the nose in the present crisis."¹⁷

Houston's unyielding adherence to Jacksonian Democracy—all he "ever professed, or officially practised"—caused this dramatic turnaround in the public's perception of him. Unfortunately for the old warrior, the Unionism implicit in his political stance became increasingly unfashionable in the South as the events of the 1850s unfolded. Although his rough-and-tumble style and personal popularity helped him upset the incumbent Hardin Runnels in the 1859 governor's race, his belief that secession was both unconstitutional and unnecessary reflected the opinions of fewer and fewer of his constituents. Houston hated northern extremists, but the evil promulgated by them was matched, he said, by southern radicals "who foolishly joined in the quarrel and hurled epithet for epithet." He also deprecated the "great many very gaseous gentlemen in the South" who spend "a great deal of time . . . play[ing] the demagogue," with their talk about reopening the African slave trade. They merely wished to "widen . . . the breach between the North and the South," and to prompt the North into a rash action that would justify the South's secession. Houston denied that the election of Abraham Lincoln was sufficient cause for destroying the Union, as his oath as president would force him to protect the rights guaranteed to the South by the Constitution. Furthermore, the destruction of one government required the building of a new and better one, "and if patriots yield now to the rash and reckless, who only aspire to military glory, or for anarchy and rapine, they may find that in the wreck of one free government, they have lost the power to rear another." Houston doubted that the southern people could fight a successful civil war. As the basic principle upon which the new nation rested, the right of secession "must inevitably lead to disunion, conspiracy and revolution, and at last anarchy and utter ruin."¹⁸

Fear of war and destruction shadowed Houston throughout the seces-

sion winter and informed his every action. His delaying tactics resembled his unpopular, long retreat to the Texas coast during the revolution, but this time there was no San Jacinto to salvage the Union. He hesitated to summon a special session of the legislature, and, when he finally spoke to the assembled legislators, he emphasized the problem of frontier defense. At the same time, he refused to call a convention to consider secession, and when it met anyway he did not recognize it until it promised to submit its resolution to a vote of the people. When the secession ordinance passed, he refused to take the requisite oath to the Confederacy and forfeited his office. Finally, he considered—but declined—an offer from the federal government for troops to keep Texas in the Union.¹⁹

Hounded by severe criticism from all over the state, the old man retired from public life, more or less resigned to his and his country's fate. He had always said that he would bow to the wishes of the majority of his constituents, and the landslide victory for secession in February confirmed what the secessionists had been saying for months. As a result, Houston accepted the fact, if not the justice or the legality, of secession. In a declaration to the people of Texas in mid-March, he asserted his "determination to stand by Texas in whatever position she assumes." He had for many years linked his fortunes to those of his adopted state, "follow[ing] her banners . . . when an exile from the land of my fathers." He had returned to the Union with the people of Texas, and now would "go out from the Union with them; and though I see only gloom before me, I shall follow the 'Lone Star' with the same devotion as of yore." Two months later he spoke at Independence, where he said, "the time has come when a man's section is his country. I stand by mine."²⁰

Houston never quite completed his conversion to the Confederate cause, however. He apparently toyed with the idea of declaring himself governor, removing Texas from the Confederacy, and forming an independent republic. He never professed much hope for a southern victory, and when his friend William Pitt Ballinger talked with him in March 1862, Houston complained of the bad generalship that plagued the Confederate army and expressed his dislike for Jefferson Davis. The rest of the conversation left Ballinger a bit bewildered. "Couldn't really fathom what the old fellow would like to be at," the Galveston attorney wrote later that night. "Says he feels as young as at 25—I think he believes we will be overpowered, & subdued." Houston told Ballinger that he had files full of clippings from Texas newspapers "to show any of Lincoln's officers that come about him that he has been a better Black Republican for 2 yrs past than old Abe himself."²¹

But for the most part, Houston stayed at home, tending to his business interests and worrying about his son, who had enlisted in the Confederate

army. He occasionally visited Union prisoners of war incarcerated in nearby Huntsville, and his Unionism apparently paid off when a Yankee chaplain, remembering a kindness from Houston when the latter was a senator in the 1850s, nursed Sam Houston, Jr., back to health after the battle of Shiloh. When Sam Sr., died on July 26, 1863, he had not had the opportunity to show his clippings to an invading army, and his Union had not yet been reconstructed. The dead hero remained a symbol of the tension between that spirit of resistance to extremism and that loyalty to one's section and state that was so tragically played out in the lives of many southern conservatives and Unionists during the Civil War.²²

Houston was not alone among this most reluctant class of Confederate Unionists. A contemporary of his, George Washington Smyth, had come to Texas in 1830 and held jobs ranging from teaching school to surveying land for the republic; he later represented Texas in the United States Congress. As the sectional crisis heated up during the late 1850s, Smyth deplored the "little issues"—which for him included the questions of slavery in the territories and the African slave trade—with which demagogues sowed discord between the sections. "We live under the best government and the happiest institutions in the world," he wrote to Thomas McKinney in 1859, "and we have nothing to mar our future prospects, were it not for those restless spirits north and south who seem to do nothing but brood over mischief and hatch evil." Smyth maintained that the "bad faith" of a few northern states did not relieve Texas of her obligations to the Union under the Constitution. By the spring of 1860, Smyth, a life-long Democrat, had become so disgusted by the sectionalism of the Texas Democrats that he was willing to seek election as a presidential elector for Sam Houston. Secession came despite his efforts—he had favored making Texas an independent republic in the event of the dissolution of the Union—and, too old to serve his state himself, he permitted George W. Smyth, Jr., to join the Confederate army.²³

Hamilton Stuart, a Kentuckian who had edited the *Galveston Civilian* for decades, had equally mixed emotions about southern sectionalism. As an editor, he supported slavery and the reopening of the slave trade; as a Douglas Democrat and federal customs collector for the fifteen years preceding secession he opposed disunion. He eventually came around to supporting Breckinridge for president as the South's only hope against the Republicans. He declared his support for Breckinridge at a meeting in Galveston, but admitted that the Southern Democrat had little chance of winning the election. The next speaker blasted Stuart for his caution and elicited cheers from the crowd when he told the editor that "he had better join the enemy if he had no better aid or comfort to give his friends." After Lincoln's election, Stuart indicated that he would submit to the will of the

people, since "all political power is inherent in the people and . . . they have at all times the inalienable right to alter, reform, or abolish this form of government." Stuart continued editing the *Civilian* until the blockade cut off his paper supply and forced him to temporarily retire in 1862.²⁴

Josephus Cavitt, a long-time resident of Robertson County, exhibited the profound reluctance with which many Unionists fulfilled their duty to the Confederacy. He also demonstrated the common impulse among such men to dissociate themselves from the Confederacy after the war, particularly when they applied for presidential pardons. Cavitt had not recognized the right of a state to secede from the Union, he maintained, but failed to vote against secession in the February referendum because "the numbers in favor of the act" were so large that disagreeing with them "was often calculated to involve those who were opposed to secession in unpleasant and frequently dangerous altercations." As a "peaceable and quiet man," Cavitt obeyed the laws, paid his Confederate taxes, and eventually served in the state militia—although he emphasized in his application for pardon that he was "never in the actual military service of the Confederate States or of the State of Texas." Most of his military duty consisted of being detailed to work his own ranch. He even admitted to having been a lieutenant in the state militia, but stressed throughout his application that his wartime support of the Confederate States did not mean that he accepted its principles or its sovereignty²⁵

Some Unionists who at first threw in their lot with the Confederacy changed their minds during the course of the war and went even further than Throckmorton in protesting abuses committed by secessionists. W.R. Bellew had been elected captain of a volunteer company at the beginning of the war, despite his opposition to secession and his work to defeat it in his home county of Collin. However, "When they got to Hanging Union men in Northern Texas" in 1862, he wrote Provisional Governor A.J. Hamilton after the war, "I denounced it . . . and urged [subdistrict commander Henry] McCulloch to stop those acts of lawlessness." When friends warned Bellew that enemies planned to assassinate him, he escaped to Kentucky and sat out the remainder of the war. Reading Wood Black, the founder of the South Texas town of Uvalde, opposed secession, although his Republican father back in New Jersey had disinherited him for denouncing Abraham Lincoln's "radicalism." He dutifully took the Confederate oath after the war began, but when overvigilant rebels persecuted Germans in West Texas, Black protested by crossing the border into Mexico and staying there for the rest of the war, carrying on extensive trading, milling, and stock-raising activities.²⁶

Another man who came to regret his painful decision to support the Confederate war effort was Reece Hughes, who had settled in Cass County

in 1839. By 1861, Hughes owned 25,000 acres of land, 200 slaves, and an iron foundry, and he believed that his property and southern rights could best be preserved in the Union. Nevertheless, Hughes generously fed Confederate soldiers marching by his house and aided the needy families of neighbors who were in the army. His prewar Unionism had earned him many enemies, however, and late in the war some of them petitioned Lt. Gen. E. Kirby Smith, the commander of the Trans-Mississippi Department, to have Hughes "executed as a public enemy." His own friends in high places prevented it, but they could not stop the Confederates from seizing his iron foundry, which federal soldiers later occupied. The war ruined Hughes financially, but neither government ever reimbursed him.²⁷

The experiences of two long-time friends, William Pitt Ballinger and James H. Bell, reveal the extremes of loyalty to the Confederacy displayed by Confederate Unionists. Ballinger, a prominent Galveston attorney and behind-the-scenes Whig politician, and Bell, a Democratic associate justice of the Texas State Supreme Court, both worked against secession but accepted it when Texas finally seceded in March 1861. Ballinger served as Confederate sequestration receiver and wrote editorials promoting the war effort for coastal newspapers. Bell continued as supreme court justice until he lost a reelection bid in 1864. They responded to the war quite differently, although each served the Confederacy and remained within the boundaries of what was considered loyal behavior in Texas.

Ballinger came to Texas from Kentucky in 1843, enlisted in a volunteer company during the Mexican War, and married Hallie Jack, the daughter of Texas Revolutionary War hero William H. Jack. By 1860, Ballinger, partnered with his brother-in-law Thomas McKinney Jack, was a successful attorney who was well known throughout the state. A life-long Whig, he supported John Bell for president in 1860 and opposed secession.²⁸

During the 1860 campaign and the secession crisis, Ballinger shared other Unionists' disgust with the political passions engendered by secessionist demagogues, worried about the consequences of withdrawing from the Union, and hoped that southern grievances could be resolved within the Union. As 1860 drew to a close, the prolific diarist recorded his "deep distrust of the future" and his belief that "the signs of the times are evil—and there are great dangers before us." Ballinger supported slavery and believed that southerners had legitimate complaints against the government and particularly against the Republican party, but he also felt that solutions to the many problems facing the Union must "be sought peacefully & within the Union & that the disruption of the Union without such

efforts is treason to humanity." Like all good Unionists, he hoped "that public order & prosperity will not be weakened & that security will be given to the institution of slavery." However, he wrote, "I have strong fears to the contrary, and my best judgment is that we are doing an unwise & may be a fatal thing."²⁹

Ballinger's conservatism seems to have paralyzed him during the crucial two years of sectional controversy in Texas between 1859 and 1861. He was a friend, sometime attorney to, and supporter of Sam Houston, but he neglected to vote in the 1859 gubernatorial election. He refused to run as a Unionist presidential elector or to campaign actively for the John Bell and Edward Everett electors in Texas. He grudgingly delivered a Constitutional Union speech in August 1860—"It has cost me far more time & trouble than I was willing to have devoted in that way & it is a poor business"—but he gave up his attempt to reach the speaker's stand at a Galveston public meeting—turned secession rally in mid-November. The day after the meeting, Ballinger reported a "deep apprehension, if not the positive conviction that our Govt. will be overthrown & the Union dissolved." Although this turn of events made him physically ill and cost him several sleepless nights, he skipped a Union gathering three weeks later. For the most part, Ballinger did what he did best: listen to his Unionist and secessionist friends and record their conversations in his diary. An excerpt from his mournful entry on New Year's Eve characterized the feelings of many Unionists as events spiraled out of their control: "I feel more than ever excommunicated from public affairs & politics."³⁰

When it became apparent to Ballinger that the Union would be sundered, he wrote that he had "no heart in the [Southern] cause," and added peevishly, "Its responsibility & its glory I leave to others." For the most part, he did. His friends convinced him that he would be more useful at home than in the army, so he remained in Galveston as a Confederate sequestration receiver and continued to practice law. He helped to secure several batteries of heavy guns for the defense of Galveston and wrote articles for the *Houston Telegraph*. Occasionally he voiced some of the concern for civil rights that typified Unionists during the war. When he accepted his appointment as receiver of confiscated enemy alien property, he feared that "there will be an odium attached to the office," and promised to "execute it in a just spirit—in maintenance of the policy of the Govt. but not vindictively or oppressively." He also revealed a flexibility in disposing of disloyalty cases. After a small federal force captured Galveston in the fall of 1862 only to evacuate it early in 1863, a number of the residents of the town were brought up on charges of trading with the enemy. Ballinger thought this "very injudicious"; the "doctrines of allegiance in Galveston during its occupation . . . are not such as it wd. be judicious to settle

accurately now." On the other hand, Ballinger wrote up several indictments at Confederate district court "against parties for their connexion with the enemy whilst they occupied Galv."³¹

Ballinger described his own odyssey from Unionist to Confederate in a letter he wrote to his friend and colleague, George W. Paschal, a Unionist who would spend several days in an Austin jail on charges of disloyalty. Ballinger intended this letter—which he never sent—to defuse the "bitterness and vindictiveness" Paschal felt toward the secession leaders. "You have worked yourself morbid," Ballinger wrote, "which distorts your views of the [Confederate] government." He testified to his late-developing conviction that the civil war he and Paschal had feared and hated stemmed from very real causes. He recalled that never before the fall of 1860 had he "passed . . . sadder, gloomier days of deeper truer reflection and self-communing." Ballinger had been "Whiggish even unto federalism" before the war, believing that Democrats were "without property, drunkards, licentious, demagogues . . . fatally bent on mischief" and that "Satan [was] not more the Archfiend of wickedness, the foe to peace, harmony & good order in Heaven, than was Jno. C. Calhoun on earth."

Nevertheless, as events hurried by and as Ballinger came to better understand the position of southern radicals, his mind changed. "For a long time," Ballinger wrote, "I thought the talk against the Union a mere Sham, clap-trap, meant by no body, a tinkling cymbal of a grandiloquent sound, locofoco effervescence, grateful only to a few of the most diabolical ears, out of the lower regions." Then he read John C. Calhoun's *Book on Government*, which did not convince him of the righteousness of nullification or of secession, but did seem to be an able and perceptive exposition on "the essential dangers of Democratic government" and on the "control of the popular majority." Calhoun helped to convince Ballinger that dissatisfied southerners, even disunionists, were sincere and were not merely spouting radical doctrines for party or individual gain. Of course, neither the North nor the South would budge from the national "superstition" of the "perfection of the American Constitution," and war became inevitable. Americans' "admission of failure in the government, . . . afforded the only hope of its Salvation."³²

The surprisingly one-sided vote on secession shocked and saddened Ballinger. Nevertheless, with a growing respect for the purposes of the secessionists, a mounting fear that the Republican party posed a danger to southern rights, and a commitment to the idea of creating "further guards against sectional majorities," Ballinger reconciled himself to secession, and ultimately, to civil war.³³

James H. Bell never quite got used to the idea that his section was at war with the federal government. Bell was the son of Josiah Bell, one of

Stephen F. Austin's lieutenants. Born in 1825—supposedly the first white baby in Brazoria County—Bell had fought against the Mexicans who invaded Texas in the early 1840s, studied law at Harvard University and with Ballinger's father-in-law, William H. Jack, and won election to the Texas Supreme Court in 1858.³⁴

Bell had as a Democrat voted for Breckinridge in 1860, but he shared many of Ballinger's views regarding the nature of politics and of political parties. He denied that the question of slavery in the territories was a practical one and believed that the war was brought about by the fatal corruption of rational political processes by politicians who could see only as far as the next election. In a speech at the capitol in Austin on December 1, 1860, Bell detailed his theory of how the country had descended into its present conundrum. Typical of many formal speeches of the day, it ranged over many centuries and several continents, and outlined one man's version of the history of the sectional crisis. Bell argued that legitimate disagreements between the North and South had been magnified all out of proportion by southern radicals obsessed with the specter of northern abolitionism. More important, a "spirit of party" had come to dominate sectional controversies. Northerners were less interested in stopping the spread of slavery than in preventing the creation of more slave state votes in Congress. Nevertheless, southerners, inspired by Calhoun, had focused on slavery, the least important and most dangerous aspect of the sectional conflict, which had only made matters worse. Party feeling had eclipsed patriotism, and now threatened to destroy the Union.

Like a true Unionist, Bell advised his fellow Texans not to "rush hastily into revolution." He recommended holding a southern convention in order to "counsel calmly and deliberately" on how to respond to the emergency. He urged Texans and southerners to remember that the Constitution did protect them, that, although "no one looks with greater abhorance than I do" upon the attitudes and plans of the Republicans, Lincoln was powerless to do anything to the South. The North had not yet committed a single crime against the South. "There are imaginary and future ones without number," Bell declared, "but what are the real ones, upon which a man can put his finger?" Bell could think of none, except the refusal by some northern states to enforce the fugitive slave law. But no one had ever been able to adequately enforce the law; it was not a new grievance that justified revolution, and it did not affect Texas slaveowners, whose runaway slaves usually sought freedom in Mexico.

Bell deplored the illegal meetings, conventions, and proclamations currently sweeping Texas and the rest of the South. These only encouraged the passions that interrupted rational thought and obscured reasonable solutions. "All history attests that appeals to the passions are a thousand

times more powerful than appeals to reason," Bell warned. "Let us, in this hour of gloom, take counsel of reason." War would be inevitable if disunion was undertaken hastily. "Let us be true to ourselves," Bell pleaded, "let us not be made to believe that it is timidity or cowardice to use all honorable means to shun the fearful evils of Disunion."³⁵

Unlike Ballinger, Bell never changed his mind and never accepted the leadership of Calhoun's disciples. In a February 1865 letter to B.H. Epperson, the recently unseated former justice wrote that he had always believed that the restoration of the Union, "was the inevitable result of the war in which we are engaged." As a result, he had withheld his support from "the men and principles that have been in the ascendant for now nearly four years of woe and blood." By 1865, Bell believed that the best course for Texas would be to pursue a separate peace with the federal government and suggested that agreeing to gradually emancipate the slaves would win friends in the North. To that end, Bell urged Texas Unionists to support "conservative and thoughtful men" in the coming state elections. With a victory at the polls, conservatives "might perhaps smooth the wrinkled front of war, reanimate expiring liberty, and restore order and law to an exhausted people."³⁶

Although Ballinger and Bell attributed the war to many of the same causes, their dissimilar responses to conscription, martial law, and various other war powers assumed by the Confederate government reveal the range of opinions that existed within the Confederacy's most conscientious class of loyal citizens. Ballinger hesitantly accepted Brig. Gen. P.O. Hebert's proclamation of martial law in Texas in the spring of 1862, but denounced the general's forced evacuation of the threatened island of Galveston in May. "The patriotism of poor people left at home," Ballinger confided to his diary, "will be much better able to sustain itself against the influence of the enemy, than against the pressure of poverty & exile."³⁷

Ballinger did support the suspension of habeas corpus and the high wartime taxes levied by the Confederate government. "I hope this legislation may do good," he wrote in March 1864, "it is certainly very rigid & extreme." But despite this "first impression . . . of disapprobation," he published an editorial in the *Houston Daily Telegraph* that supported suspension. The constitutions of the United States, the Confederate states, and of Texas all authorized the suspension of habeas corpus during periods of rebellion or invasion, he argued. Although the situation in the eastern states of the Confederacy obviously met these preconditions, Ballinger also deemed it necessary in the trans-Mississippi region, where "factions, disloyal and traitorous persons, plotting our subjugation," posed "really and truly dangerous" threats that demanded harsh measures to guarantee the safety of Texas. Ballinger, ever the Whig, also justified

suspension because it ensured that civil law would be enforced by the military, which would eliminate the "unorganized, irresponsible mob patriotism" that too often replaced the legitimate, orderly functioning of the law during times of crisis.³⁸

Predictably, James Bell denied the right of the Confederate government to deal so severely with its citizens. When the Texas State Supreme Court upheld the Confederate conscription act in 1863, he wrote a minority opinion justifying his lone dissenting vote. Bell based his opinion on the theory that the war powers delegated to Congress by the Constitution were not unlimited, so that while the government did have the power to carry on a war, it was "sheer nonsense" to say that Congress "can use force, or require the Executive Department to use force to compel a citizen voluntarily to enlist." The Constitution limited the government to recruiting volunteers or to calling state militia units into federal service; it could put down rebellions by force, but could not use force to muster an army. Bell asserted that the government formed by the Confederate (or United States) Constitution "was not instituted with a view to the greatest possible efficiency in war," and could not exercise unlimited powers in conducting a war. Furthermore, since the sort of centralization of power entailed in conscripting men for the army smacked of Federalism, it could not possibly be the sort of interpretation of the Constitution that the leaders of the southern rebellion had in mind when they led their states out of the Union in 1861.³⁹

Ballinger disagreed with the dissenting justice, and spent an entire day writing a letter that contested Bell's opinion. Ballinger's and Bell's clash over federal power demonstrates their different degrees of conversion to the Confederate cause. Bell stuck to his prewar guns; his Unionism led him to protest the exercise of what he believed to be illegitimate powers by the secessionists' government. Ballinger, no less a Unionist than Bell before the war, came to identify rather closely with the Confederate cause, and accepted many of the programs initiated by the government to win the war. Ballinger's grim commitment to the Confederate cause may also have stemmed from his tragic personal life during the war, when four of his children died of disease and his wife suffered a miscarriage. Ballinger was separated from his family for most of the war because of his official duties and because of the potential danger to them of living in Galveston; his guilt over his absences in such trying times may have stirred him to yearn for the success of the cause for which he had, in a way, sacrificed so much.⁴⁰

The two old friends seem to have talked about the war whenever they saw each other. Early in 1862, Bell told Ballinger of his belief that the Confederacy would lose the war, that the Union would be reconstructed,

and that “the better judgt. of the people [would] return to them—in time.” During a long walk through Houston one Sunday afternoon soon afterward, Bell complained to Ballinger that he had been “ostracised” because of his political views, and mentioned that he might speak out and tell “the people what he thinks of public affairs” in order to “vindicate his own record.” He would tell them that the cause was hopeless, that the “best they could do is to secure honorable terms” from the northern government.⁴¹

With all the zeal of a convert, Ballinger scolded the unhappy Bell. “I told him I thought every man’s feelings & efforts shd now be to put forth our utmost strength to whip the enemy & maintain our independence, & that any discussion now of our inability to do this & of terms with the enemy shd justly incur all the odium possible.” Ballinger said that he would “prefer to receive the victor’s terms after a last blow was spent,” rather than restore the Union “because of our apprehended weakness.” He once again stressed his dismay at secession, and reiterated his opposition to it. But it was now too late. If the southern people were forced back into the union, whether through defeat or through negotiation, “it will be because they are whipped back, & it will be with a sense of inequality, dishonor, humiliation & future political insecurity & degradation worse than that of any people of the globe.” Drawing his text from Ecclesiastes, Ballinger declared that the old Union would never be restored: “the silver cord is loosd—the golden bowl broken, the pitcher broken at the fountain—the wheel broken at the cistern.” If the government is reestablished, “it will be by force and we will be practically a conquered vassal people.” Ballinger did not record Bell’s response to this recitation of the former’s new commitment to the Confederacy, but Ballinger wrote in his diary that, although “I love him dearly, & I think him . . . the most gifted man of all my acquaintance . . . I intend to deal with Bell in the strictest candor.”⁴²

Although not all Texas Unionists supported the southern cause as firmly as Ballinger, most shared James W. Throckmorton’s resignation at the destruction of the Union. “Now, and since the war commenced,” Throckmorton wrote early in 1862, “I would not consent to reunite with the north.” He claimed that “the struggle is over with me.” The North and South “had better be separate—Our interests—pursuits & habits are too diversified ever to be made to harmonize.” Two years later, although he still doubted that the South would win the war, he wrote to B.H. Epperson that “we have no hope but in stern bitter resistance to the end, let it be what it may.” J. Walker Austin sounded a similar note in September 1861. “We are all now ground down and can hear nothin[g] else but (War, War),” he wrote during the war’s first autumn. “I have whicked [*sic*] myself

thousands of times in some remote place in the mountains w[h]ere I could be clear of such excitement." Austin had always considered war "one of the greatest evils ever afflicted on the human family." However, there seemed to be no alternative but to fight the North, "since they have got to stealing and arming the Negroes against us." Austin, who enlisted as a scout in a Texas cavalry regiment, finished his thought with a question often pondered by Unionists: "What will be the end God only knows."⁴³

These southern Unionists accepted the fate of more confirmed secessionists as their own, but their experiences differed from those of most other southerners, fire-eaters and dissenters alike. The doubts they expressed from the beginning of the war foreshadowed the fears of more and more southerners as the war dragged into its disheartening third and fourth years. Unlike other loyal southerners, their choice—although perhaps inevitable—had been an uncomfortable one, and many retained a bitterness about having been forced to make it. This led some of them to demand of other southerners the same standard of loyalty that they asked of themselves, and to condemn those southerners who failed to live up to it. It also contributed to their accepting roles as the collective conscience of the Confederacy. As southerners first and Americans second, they went to war against the United States. Yet their fidelity to the South led them to resist the ways in which confederation and war threatened to alter the South; their conservatism in the face of secession extended to their resistance to the radical measures undertaken by the Confederate states. As a result, they opposed attempts to destroy the traditional civil liberties of their citizens through martial law, conscription, the suspension of habeas corpus, and through a number of other petty or large infractions of the Constitution. Their close ties to southerners who were not so loyal—Ballinger's friendships with Bell and Paschal, for instance—reveal the thin line that separated loyal and dissenting southerners during the Civil War. Finally, although they were sometimes exposed to criticism for their prewar opinions and wartime conscientiousness, these proudly conservative Texans were in reality determined soldiers in the southern cause, loyal citizens of the Confederacy and of Texas, and steadfast protectors of southern society—this despite the fact that their own cause had been lost the moment southern guns fired on northern soldiers at Fort Sumter.⁴⁴

Unionists as Dissenters

Austin Episcopalians fought a civil war in miniature five years before the batteries ringing Charleston Harbor silenced the guns of Fort Sumter. Despite the recent completion of a new church building, political dissension split the Church of the Epiphany into Unionist and states' rights factions that ultimately led the former to break away in April 1856 and establish Christ Church. The seceding congregation called New England-born Charles Gillette, formerly a rector in Houston, to lead the Unionist flock. Gillette doubled the membership of his little congregation during the next few years, and when the Church of the Epiphany lost its pastor to a wealthy widow, its vestry invited the members of the younger church and their rector to rejoin the old congregation. The Unionists accepted the offer, and in July 1859, members of the new Church of St. David worshipped together for the first time.¹

The reorganization of the Episcopal Church coincided with the arrival in Austin of the new Bishop for Texas, Rev. Alexander Gregg of South Carolina, whose presence during the war would have an important effect on St. David's—and on Charles Gillette. The intensifying sectional crisis during the fall of 1860 resurrected the tensions that had previously divided the congregation. Although several leading states' rights men belonged to the church, the congregation was most notable for the number of men who would later remain loyal to the Union. Among them were S. M. Swenson, George W. Paschal, John and George Hancock, A. J. Hamilton, Thomas H. DuVal, and former Gov. E. M. Pease. Gillette naturally included himself in the Unionist contingent. When the war finally broke out, his failure to submit to his superior's demands would cost him his rectorship; the splintering of his congregation became a microcosm of the way that the Civil War fragmented southern society.²

Bishop Gregg's aristocratic background as a South Carolina planter's son, as a slaveowner, and as the grandson of a Revolutionary War officer

who had been persecuted by Loyalists molded his reaction to the Civil War. When the fighting began, Gregg's son enlisted in John B. Hood's Brigade, and his daughter presented a flag to one of Austin's first volunteer companies. Gregg's spiritual contribution to the southern war effort launched the controversy between the bishop and Gillette. In the spring of 1861, Gregg ordered the clergy in his bishopric to alter the liturgy in order to make it "comformable . . . to the civil establishment." One of the changes entailed asking God to grant a speedy end to "the unnatural war which had been forced upon us." The northerner Gillette opposed the politics represented by the prayer, and Gregg at first permitted him to omit it from services at St. David's. Nevertheless, as the war went on, as tolerance toward dissent in Texas dwindled, and as Gregg became increasingly committed to the Confederate cause—a process hastened by the death of his son—the prayer issue came to symbolize the demands made by Confederate Texans on the loyalty of their Union-leaning neighbors.³

Lucadia Pease reported as early as April 1861, that "Mr. Giletes [*sic*] very prosperous parish is about being broken up." Although the bishop "claims to be no politician," his prayer had angered many parishioners. "As all the most respectable and wealthy members of the Church here are Union men," Mrs. Pease wrote her sister, "they are unwilling to listen to such a prayer." Many stopped attending worship services altogether, while others came "only out of respect to Mr. Gillette who is a Union man." In the summer of 1863, former member and Unionist Judge Thomas DuVal complained that he had not been to church in over two years, but added that he did not "think I ever shall again until the commandments of Christ are better practiced by his so called followers."⁴

The controversy soon embroiled the entire diocese. Gillette argued that only God knew who had been at fault in starting the war. Referring to "the unnatural war" forced upon the South seemed to establish an "historical fact" that not even southerners unanimously believed. In addition, Gillette posited, Gregg had unfairly withdrawn his approval to leave the prayer out of Gillette's services. Gregg's retort included an attack on the North, "the hotbed of infidelity on this continent" and the place where "Unitarianism, Universalism, transcendentalism, Mormonism, spiritualism, and higher-lawism" flourished. Northerners had deliberately disobeyed the scriptures by conducting a crusade against slavery. The South was "a ravaged land" where "there should be but one sentiment prevailing." A pastor must "set forward . . . quietness, peace, and love among all Christian people, and especially among those that are . . . committed to his charge." He could not fulfill that duty by contradicting the actions of a majority of the people—or the decisions of his bishop.⁵

Gillette could not win. His base of support within his own congregation melted away, as many Unionists fell quiet or left Texas. In August 1864, the church vestry asked for and received his resignation. Unable to collect the \$1500 that the church owed him, he remained in Austin until October 1865, when he left Texas and never returned.⁶

The Civil War shattered Austin's Episcopal community as well as the South, as secessionists devoted to slavery and states' rights clashed with Unionists determined not to sacrifice their precious family of American states. The latter reversed the priorities of the Confederate Unionists, whose primary loyalty was to their section. Unconditional Unionists condemned their state's course not because they were abolitionists or unsympathetic to the South, but simply because the Union meant more to them than their region. They judged Texas's worth in terms of its condition as an American state, not as a southern state. In other words, their southernism was a function of their Americanism and derived its value from the benefits and status that the Constitution extended to member states. Another factor that separated them from the men who most closely resembled them—the Confederate Unionists—was political affiliation. In Texas, many of the latter came out of the Whig tradition, while unconditional Unionists had usually considered themselves Jacksonian Democrats before the war. The former Whigs—including James W. Throckmorton and William Pitt Ballinger—seemed more likely than the Union Democrats to resign themselves to the will of the majority and less likely to continue the fight to preserve the United States after secession. This may be at least partly attributable to the fact that the Whigs in Texas, unlike their fellow conservatives in North Carolina, had no stable party organization to draw them together and effectively resist secession. Thus isolated, Whigs followed their region and state out of the Union. The Union Democrats, on the other hand, could call on the legacy of Andrew Jackson to oppose the destruction of their party and their country. Differentiating themselves from the Southern Democrats—many of whom also traced their origins back to Jackson—the Democratic Unionists of Texas, despite their minority status, could still brace themselves and their Unionism against the traditions of the National Democratic party. This gave them the strength to champion the Union war effort, and furnished them with a motivation missing in most Whigs for preserving the system to which they clung.⁷

Many Texans initially opposed secession, but only a fraction of them actively worked to defeat the Confederacy. Some joined the federal army and literally fought against friends and neighbors; some accepted positions in the United States government as treasury agents or in some other bureaucratic assignment; some attempted to stay quietly at home until conscription or popular disapproval forced them out of the state; a few

somehow managed to avoid army service as well as vigilance committees and remained in Texas throughout the war. Charles Gillette's actions probably surprised few people because of his northern origins, but the attitudes of many of the southern-born, slave-owning members of his congregation reveal how divisive was the issue of whether or not to remain in the Union.

The Confederates' treatment of those men who chose the Union varied widely, but always reflected the former's determination to protect their society from internal threats as assiduously as they fought the Yankees. Events outside Texas often governed the responses of the government and its citizens to the disloyalty of friends, colleagues, and relatives. Many Unionists had shared their fellow southerners' apprehension over a future in which the Republican party controlled the government, and most, at least in 1860 and 1861, supported the institution of slavery in principle as well as in practice. Their espousal of the Union became obnoxious to other southerners only when they refused to accept secession as the best way of preserving slavery and southern rights. A number of men fell away from the Union cause as a consequence of the fighting at Fort Sumter and Lincoln's call for troops, but even then many unconditional Union men persevered in their loyalty to the United States.

The escalation of secession to war tried Texans' patience. A northerner captured during the takeover of federal forts in the spring of 1861 and held in San Antonio for nearly a year found that the battle of First Bull Run in July changed everything. Before, he reminisced after the war, "we were treated very well indeed, in fact it hardly seemed that we were prisoners." After the war's first major fight, however, "the people became bitter, and it was not so pleasant for us." Such feelings worsened in the spring of 1862, when a series of Confederate defeats in Tennessee, the bloodbath at Shiloh, and the Union capture of New Orleans jarred complacent Confederates into a renewed determination to win the war and to rid their state of its disloyal elements. These Confederate defeats, according to the *San Antonio Herald*, had emboldened Yankee sympathizers to make their sentiments known; they must be watched, and if federal forces invaded the state, "it will be necessary to dispose of the lurking enemies in our midst," who will be treated in the ways that "tories, spies and traitors are treated by all nations in times of war." The *Austin State Gazette* announced that Texans "cannot permit an element of disaffection to remain among us, to assail us with its insidious and treacherous weapons," and urged its readers "to destroy every element of treason in Texas by the most prompt and efficient means." An Austin secessionist wrote O.M. Roberts that "the lurking, dormant treason in our midst" had revealed itself "under the tidings of our reverses." As a result, he declared approvingly, "the tolera-

tion of an indulgent people will cease to be a virtue,—indeed toleration will become a positive crime.” The first Confederate Conscription Act, passed in March, also encouraged men who refused to fight against the United States to leave Texas, and the first wave of forced emigration began soon after. Late in May, Brig. Gen. Paul O. Hebert declared martial law throughout Texas and in July convened a military court to try civilians suspected of disloyalty. The court passed judgment on dozens of Texans until the Confederate government in Richmond closed it down on October 10, 1862.⁸

Tolerance of Unionists varied widely throughout the rest of the war, and Unionists who left the state or merely withdrew their support from the Confederacy picked their own times to act. The disastrous military defeats of 1863 once again increased many Texans’ intolerance of Union men and another wave fled the state or took to the brush. For others, the worsening economic situation, the shortages of everyday necessities, or poor treatment by military or civil officials convinced them finally to abandon their homes. Some, however, remained in Texas for the duration of the war, sequestered in their houses and often retired from business and public life.

Whatever their motivations or experiences, political dissenters faced ambivalence from both southerners and northerners. Their treatment at the hands of Confederate neighbors ranged from murder to neglect; some were hanged, some were merely ostracized, others were able to live uneasily normal lives—a few were actually ignored. Southern dissenters who went over to the side of the Union experienced a similar mixture of reactions. Unsure of whether to treat southern Unionists as allies or foes, federal troops and authorities commonly failed to treat them as either. As a result, those southerners whose self-image included a strong devotion to the Union, found themselves doubted by representatives of both sections.

The *Marshall Texas Republican* confidently asserted in late 1860 that “all political distinctions have been abandoned” in Texas, that everyone had accepted the right of secession and agreed that it was “the duty of the State to take deliberate action” to protect the South from the “Black Republicans.” Nevertheless, during the four years that followed, disloyalty to the Confederacy survived and sometimes flourished all over Texas. Many communities around the state responded by reactivating antebellum vigilance committees to crush threats to the local Confederate power structure or to a more abstract vision of southern society.⁹

The effectiveness of these groups and of others around the Confederacy is debatable, but a popular form of Yankee propaganda during and shortly after the war—the Confederate atrocity story—related extraordinary tales of cruel vigilance. Among the most famous were the Rev. John

H. Aughey's bitter *The Iron Furnace; or, Slavery and Secession*, and William Brownlow's politically incendiary *Parson Brownlow, and the Unionists of East Tennessee*. Aughey claimed that the persecution of Unionists in Mississippi, from which he had escaped early in the war, was "only equalled, in its appalling enormity, by the memorable French Revolution," and depicted sadistic rebels torturing, starving, and executing hundreds of loyal Union men. Brownlow, who would later serve as a Reconstruction governor of Tennessee, told similar tales, including an instance when Confederates hanged two Unionists from a tree near a railroad track. For the next four days, passing trains slowed so passengers could kick the bodies and "wave . . . their white handkerchiefs in triumph through the windows of the car."¹⁰

Texas lacked its own well-known atrocity writer, but a Texas refugee named R.L. Abarr published a letter in an 1863 edition of a Kansas periodical, the *Western Journal of Commerce*, in which he described the "Persecution of Union Men in Texas." The author had left his family in Hays County in February 1863, when the possibility of conscription forced him to choose "between the halter and a soldier fighting for the rebellion against his country." Abarr estimated that vigilantes had murdered a total of 180 men in Hays, Blaine, and Gillespie counties. Like Aughey, Abarr compared the widespread violence against Unionists in Texas to the "reign of terror" in France following the French Revolution. He asserted that most southerners did not favor disunion; a few leaders had forced secession upon the people and now controlled the South. He claimed that secessionists had murdered over two thousand Texans "for the crime of loving the flag of Washington." So evil were the secessionists, that they would shoot "Union men to see which way they would fall"; slit the throats "of loyal men, that they might listen to the music of the death rattle"; and lynch "crowds of faithful citizens just to observe the varieties of the death gasp."¹¹

The *Western Journal's* correspondent overestimated the number of deaths attributable to mob violence in Texas, but the spirit of vigilance grew very strong in the state and throughout the South. Accustomed to forming committees devoted to protecting the institution of slavery from internal as well as external threats—a similar machinery had recently been mobilized to put down the 1860 slave "revolt"—Texans organized vigilance associations early in the war to protect southern institutions once again, but also to perform the equally pressing duty of enforcing loyalty to the Confederacy.

To these ends, public meetings echoed resolutions passed during the recent slave insurrection panic. A Hopkins County meeting directed its vigilance committee to "keep a vigilant eye on all strangers, or any one

passing through our precinct, and tampering with our negroes, or in any way exciting discord among us." Grayson County vigilantes would "wait upon every transient person in and around the vicinity . . . and examine into their characters, and the nature of their errand." Red River County formed a committee so that it might "be vigilant in guarding against . . . persons of suspicious character . . . and in ridding our county of all enemies, traitors and spies." The committee would examine suspicious persons and suspected traitors by swearing in witnesses, hearing evidence, and, if necessary, handing those suspects over to the legal authorities. The *Marshall Texas Republican* applauded the formation of local loyalty-enforcing groups: "those who are not for us and our country should be considered and treated as against us." This mania for vigilance persisted in many parts of Texas and among many groups of people throughout the war, although late in the conflict its influence shrank with the morale of war-weary Texans. The *Austin State Gazette* suggested in 1863 that alert Texans should "keep a vigilant eye on the suspicious element in our midst, and spare not the traitors. 'Eternal vigilance is the price of Liberty!'"¹²

In reality, of course, Unionists paid the true price of Confederate vigilance, and vigilantes struck often enough to keep the possibility of retribution before every Texas dissenter. Early in 1861, Harrison County residents voted overwhelmingly in favor of state representative George Whitmore's resignation. A mass meeting called Whitmore's support for the Unionist "Address to the People of Texas" "repugnant," "incendiary," and "treacherous." The Hamilton County Vigilance Committee delivered a blow for liberty later that spring when it called James McBarron, the county's chief justice, an abolitionist and demanded that he leave the county within five days, "or else abide the verdict of an indignant community." In July a Mound City committee hanged a watchman on a Red River steamer after it found him "determined and malignant" in his espousal of the Union and his declaration that "he would rather die than live in the Southern States." Sometimes the tables were turned. In June 1861, a band of "Abolitionists and outlaws," hiding out in the forks of the Sulphur River in Lamar County, broke up a public meeting before it had a chance to appoint a vigilance committee.¹³

For the most part, however, formally organized vigilance committees had little to do with the violent ends met by Texas Unionists. Most of the men murdered for their alleged disloyalty in Texas were the victims of mobs or individuals who acted without any authority beyond that sanctioned by community standards and attitudes. A Lamar County mob, for instance, hanged five men early in the war for crimes ranging from giving a Union speech before secession to setting off fireworks to celebrate a Confederate defeat. Two Burnet County landmarks—Dead Man's Hole

and Hubbard Falls—obtained their names after self-proclaimed vigilantes made them the final resting places for executed Unionists. Early in 1864 a squad of Confederate soldiers lynched a seventy-five-year-old Collin County resident because his two sons served in the Union army and because the soldiers believed he was a spy. His two daughters buried him under a headstone inscribed, “Murdered by a band of traitors because of his devotion to the federal government.” James Luckey, a fallen secessionist and militia captain who by 1864 believed the Confederate cause hopeless, was arrested for corresponding with federal troops in Indian territory. A judge released him on a writ of habeas corpus, whereupon a small group of masked men lynched him while lawyers and military authorities debated his legal status. Vigilante justice prevailed often enough in Texas to inspire the macabre joke about a new variety of tree growing around the state, whose limbs often bore a half dozen or dozen Unionists.¹⁴

Letters from mistreated Unionists flooded into the capitol after A. J. Hamilton took office as governor in June 1865. A Smith County man protested that the sheriff recently appointed by Hamilton had kept a pack of dogs during the war to hunt down deserters and Union men. A refugee in Ohio wrote Hamilton that “there was a greate amount of wicked deeds done,” including those committed by a man who had boasted in the writer’s presence that he had “hong and helped to hang 34 of the damed union abolition.” A petition from Goliad County residents warned Hamilton to be careful who he appointed to offices in that county, as many “vindictive, malicious, unprincipled” former secessionists were maneuvering for office. During the war, they had “worked unceasingly and energetically to bring to bear all the appliances . . . they could possibly command, to annoy, harrass, distress and destroy those who differed with them in political opinions.” The loyal petitioners asked Hamilton to appoint only men who could prove their loyalty to the Union during the war.¹⁵

Despite the not-infrequent hangings and murders, death was only one of a number of penalties faced by disloyal Texans. The severity of the punishment depended on the seriousness of the offense, the part of the state in which the disloyalty was discovered, and the extent to which it threatened the property, lives, or sensibilities of loyal southerners. As a result, simply being “disloyal” to the Confederacy in some way rarely earned one an intimate acquaintance with the business end of a hangman’s noose. At the same time, however, the infractions that attracted attention and were found worthy of punishment were often quite minor. The case against William W. Gamble, tried before the Confederate Military Commission in San Antonio during the summer of 1862, shows how minute

details, rumors, and the crisis atmosphere engendered by the war sometimes combined to get a quiet man with few friends deported from the South.

During five days of testimony, the prosecution tried Gamble, a twenty-two-year-old San Antonio book seller and a native of the North who hardly spoke English, for "Keeping and circulating Abolition Books." Most of the argument concerned an obscure English book that allegedly cast a poor light on slavery in the South; the case hinged on whether Gamble had knowingly kept such a dangerous book in his store. The defense asserted that Gamble did not realize that any of his stock contained "that false, unjust and slanderous vituperation of Southern Institutions, with which Cockney English writers are accustomed to cater to the jealous appetites of . . . their countrymen." Nevertheless, the court found the defendant guilty and banished him from the Confederate States. Three days later, Brig. H. P. Bee directed the court to reopen the case and to find out more about Gamble's political beliefs, his family, and his "influence in the Community." One prosecution witness testified that Gamble's father was a "strong Union man," but also stated his belief that Gamble "seems to have been peculiarly selected as an object of suspicion." Another defense witness, who lived in the same boarding house with Gamble, proved more cooperative. He testified that he considered Mr. Gamble to be a Union man because of "his manner" and his apparent friendship and agreement with an avid Unionist who boarded in the same house. The defense assembled a battery of witnesses to prove that Gamble posed no threat to the Confederacy, and he eventually went free.¹⁶

Some Unionists seemed to invite attack by unwisely publicizing their political opinions and their contempt for the Confederacy. The Military Commission found John C. McKean guilty of several charges of "Disloyalty" when witnesses testified to McKean's refusal to cooperate in any way with the Confederate war effort. One afternoon in a shop in Lockhart he compared Confederate soldiers to "a parcel of Negroes with Overseers," while another time he brandished a revolver and swore that he would never take the oath of allegiance to the Confederacy. One witness called McKean "a quarrelsome man," who "always goes armed and has a good many difficulties," and avowed that "his reputation is that of a Disloyal Citizen." Worse still, McKean had accompanied the noted Unionist A.J. Hamilton to the Rio Grande when the latter made his escape to Mexico. The commission sentenced McKean, who could have expected worse from a less formal body, to prison for the duration of the war.¹⁷

Even men who actually committed treason, as defined by Confederate and state law, could escape with their lives. In September 1863, a one-page broadside named "Common Sense" appeared in Texas. Signed only by

"one who was at Vicksburg," it argued that the Confederacy was already on its last legs, asserted that the sacrifices and hardships already endured by southerners had been in vain, and urged the people of Texas to question the policies of the Confederate government. "Ruin is coming upon us, and staring us in the face . . . Destruction is coming upon our land with as certain a tread as the night follows the day." The war, begun with such high hopes, had brought only military defeat, poverty, and tyranny. Texans must not "sit down with folded hands and let chains be riveted and ruin be saddled upon us." Thomas DuVal recorded in his diary that he had seen the handbill, and wrote, "these are the first *healthy* symptoms I have seen. If we only had freedom of speech & of the press as formerly, we would soon have peace again."¹⁸

By late October, Maj. Gen. John B. Magruder had arrested five suspected authors of the broadside. Despite two unsuccessful attacks by mobs, the men never came to trial. For ten months they shuffled between jails in Houston and Austin, while state officials, military authorities, and lawyers for the accused bickered over legal jurisdictions, habeas corpus technicalities, and security for the prisoners. Finally, in August 1864, Magruder banished to Mexico three of the alleged promulgators of "Common Sense"—D. J. Baldwin, E. Seelinger, and Dr. Richard Peebles. The experience ruined the health of the sixty-three-year-old Peebles—who had fought for Texas independence during the Texas revolution—and he spent the rest of the war in New Orleans.¹⁹

These cases shed light on the ways that vigilant Texas Confederates frequently rose against men who they believed to be threats to southern institutions and to the Confederacy. Men could be attacked on the street or along back roads or, if they were lucky, formally prosecuted for uttering a seditious phrase, neglecting to fulfill some sort of minor patriotic duty, publicly agreeing with a suspicious person, or accidentally possessing a book that somehow challenged southern institutions.

Such men abounded in Austin and San Antonio. The latter was second among Texas cities only to the state capital as a center of prewar Unionist activity. In San Antonio, according to a Union soldier who waited there for his parole, "there were . . . at the commencement of the Secession Movement, a great many Union men." One of them even tried to talk the Yankee officer into leading an attack against the Confederate arsenal; he guaranteed that enough men would rally to the Union flag to capture the city. Nothing came of the plan, however, and as in most parts of the South, "as soon as the fighting began in earnest," San Antonians underwent "a gradual change of sentiment. . . . Many who were outspoken Union men at first, became bitter Secessionists." A Unionist named William McLane

wrote his attorneys that he wanted to help alleviate the "suffering among the poore" by making a donation to some sort of relief society. "I should prefer relieving those that voted agains [*sic*] Secession but I presume those that voted for it will suffer enough when they see the mischief they have done." Public suspicion of the residents of San Antonio never died out, especially toward the many Germans living in the city. In fact, early in the war two local newspapers, the *Herald* and the *Ledger and Texan* fought a war of words over the issue of the loyalty of San Antonians. The latter challenged the loyalty of local German merchants and also questioned the enthusiasm for the southern cause of the *Herald's* management.²⁰

The most prominent San Antonio Unionist was also one of the first Unionist refugees to leave Texas. James P. Newcomb, a twenty-four-year-old Nova Scotian who had lived in the state most of his life, had fought disunion through the columns of his *Alamo Express* from the beginning of the Texas secession movement. He believed that the "disolution of this Union would precipitate the people into a state of anarchy" comparable to the chaos in Mexico. After the Austin convention passed its secession ordinance, Newcomb wrote, "talk to a man now-a-days of patriotism and the glory of his country, and he hoots at you." "Truly," he lamented, "as a people, we deserve adversity for having lost sight of the old landmarks." The young editor expressed his devotion to the South, and attributed his so-called "mistaken . . . opinions" to "the free government that has taught us to think and act as a Sovereign, and to believe that the right opinion was sacred, and as free as the sunlight from Heaven."²¹

Newcomb's views had become increasingly unpopular during the secession spring, and in May, less than two weeks after Newcomb's final issue, a mob led by Knights of the Golden Circle destroyed his *Express* office. The *Indianola Courier* rejoiced that this "Black Republican paper" had been "squelched out." The *Courier's* only "objection to the proceeding is that it was done too late. . . . We are and always have been opposed to unlawful violence—but tories must be dealt with." Newcomb, the Tory in question, left for Mexico during the summer and edited newspapers in California for the duration of the war.²²

Austin teemed with men who shared Newcomb's sentiments. "It is treason," announced "Truth Seeker" in a letter to the *State Gazette* in September 1861, "for a small clique of citizens to assemble daily in the city of Austin and by their conversation attempt to impair the confidence of all who come within the sphere of their influence, in the Confederate Government." Unfortunately for "Truth Seeker" and for the Confederate government, the "clique" of Unionists who lived in Austin was not so small. A former resident of Texas estimated that three-quarters of the residents of

Austin remained loyal to the United States. As the state capital and the home of many conservative lawyers and merchants, the city provided the Union cause with more leaders than any other place in Texas.²³

Unionists in Travis County had made trouble for the secession movement ever since the crisis began. The county delivered over 40 percent of its vote to the Constitutional Unionist candidate John Bell in the 1860 presidential election, although the state as a whole gave him less than 30 percent, and Travis County joined only seventeen other Texas counties in voting against the secession ordinance. After the election of representatives to the secession convention, 261 Austin Unionists petitioned the Travis County delegates, urging them to boycott the convention and asserting that "a majority of the voters of the country [*sic*] are opposed to said convention." The delegates—John A. Green, H.N. Bundett, and George H. Flournoy—took their seats at the convention and voted in favor of secession.²⁴

The Unionists' petition offers several insights into the makeup of rank-and-file Unionists in Texas—or at least in Travis County—late in the secession crisis. Census data indicate, not surprisingly, that men who supported the Union to the extent that they signed the petition were more likely to have been born in the Upper South than the average Travis County resident (53.3 to 44.6 percent). Signers tended to work as craftsmen, clerks, merchants, or lawyers, rather than as farmers or planters, and owned real and person property in amounts far above average (\$10,563 to \$8,689, and \$6,010 to \$4,534, respectively). Far fewer Union men owned no property (around one-third, compared with 46 percent of all Travis County men), and they boarded in other families' homes at a much lower rate than normal (27 to 10 percent). Slaveowning, however, was one of the few categories that did not differentiate petitioners from the typical county resident. The percentage of Unionists who owned slaves was barely lower than that of secessionists (29.6 to 33 percent), and slaveholders in both groups owned an average of just over seven slaves each—about half of each group owned three or fewer blacks.²⁵

Numbers and percentages cannot enable a historian to read the minds of men who lived and died over a century ago, but they do offer hints as to why those men acted the way they did. Travis County Unionists were not hill-country yeoman with no stake in the slave system, nor were they poor outlanders with no future in the southern economy. Rather, they shared in the economic opportunities provided by the South and participated fully in the institution of slavery; in short, they had invested as much if not more in the southern economy and had as much at stake in preserving southern society as the non-Unionists with whom they disagreed. They were older, more settled, and more economically independent than their secessionist

counterparts. They rejected southern nationalism not because they rejected the South and wished it ill, but because they believed disunion would destroy a southern economy and society that had been very good to them, because they distrusted the motives of secessionists, and because they refused to acquiesce in the destruction of their Union.²⁶

Even after the convention severed Texas's ties with the Union, many Travis County Unionists refused to submit. At the farewell ceremonies for Sam Houston in late March, the deposed governor and A.J. Hamilton spoke so harshly against the excessive authority assumed by the secession convention that one Houston supporter "thought for a while we would have the Battle to fight in Austin instead of the North." Despite one secessionist's prediction that Lincoln and "his Black Republican crowd" would "wretchedly fail" if they came to Texas "and try to enlist from the so-called Union men a corporal's guard to oppose secession," a group of those Union men formed a company of "home guards" during the spring and summer of 1861. They drilled the manual of arms in the second story of the dry goods store at Pecan Street and Congress Avenue owned by Unionists George Hancock and Morgan Hamilton. This organization included A.J. Hamilton, Thomas DuVal, John Hancock (George's brother), John T. Allan, and William P. De Normandie among many others. These men would later demonstrate their opposition to the Confederacy by leaving Texas and actively aiding the United States. Other members—former governor E.M. Pease, George Hancock (the company's captain), Morgan Hamilton (A.J.'s older brother), and George W. Paschal—would stay in Austin during the war, but would refuse to cooperate with the Confederates. A few, including James Bell, remained only tenuously loyal to the Confederacy. One former Unionist turned Confederate, Alexander W. Terrell, told E.B. Burleson, Jr., that this informal militia unit had "never reported to the Governor—they march under no flag, and their organization is the cause of much bad feeling." That feeling no doubt worsened later in the war, when some of these men escaped to Mexico and put their drilling to practical use by joining the Union army. Those that remained behind allegedly held "a night festival" when they received news of a Confederate defeat, betrayed looks of "joy . . . upon their countenances" after the fall of Fort Donelson, and paid the war tax "only upon compulsion."²⁷

This large coterie of Travis County Unionists represents the stratum of experiences of most Texans who remained true to the Union. A.J. Hamilton and John L. Haynes, prominent Opposition politicians before the war, fled Texas and joined the Union army. Thomas DuVal and John Hancock remained civilians, but nevertheless left their homes; they found their unintentionally meager contributions to the war effort dishearten-

ing. George Washington Paschal, the well-known editor and lawyer, never left Austin during the war, but found his fortune and his reputation damaged beyond repair by his steadfast loyalty to the Union.

Perhaps none of the men who opposed secession in Texas inspired so much admiration and so much hatred as A.J. "Colossal Jack" Hamilton. A man with whom Hamilton had served in the state legislature in the early 1850s wrote to Hamilton while the latter was exiled from Texas late in 1862. "I can not say how cheering and grateful your example has been to me, and has doubtless to thousands of others," he gushed, "God bless you, my dear Sir, for all you have done, and all you have dared." Salmon P. Chase, the United States Secretary of the Treasury, wrote that Hamilton might some day "be remembered as the faithful Texan who clung to the Union and his Country when even Houston deserted both." Another Texas expatriate, George Denison, wrote to Chase that "Mr. H. is to Western Texas, what Brownlow, Maynard and Johnson are to East Tennessee." Finally, shortly after the war, Enos Woofter of Castroville welcomed Hamilton back to Texas and expressed his gratitude that the voice of "Colossal Jack" once again "reverberates o'er the Prairie." It "causes verry many honest hearts to rejoice & Evil doers to skulk from the light of day trembling as they go."²⁸

The *Dallas Herald*, a passionately Confederate newspaper, summed up Hamilton for many Texas rebels when it congratulated Hamilton on his escape to the North, where "he has found a community of bigger fools than himself, and almost as great rascals." The editorial painted an unflattering picture of an opportunistic, hypocritical politician notorious for seducing married women. "The fanatical politicians of the north are extremely fortunate in the acquisition of Jack Hamilton," the article declared, "they love to be humbugged, and he is peculiarly qualified to humbug them." Another article remarked on Hamilton's alleged weakness for liquor: "Judging from his habits, he will need . . . the assistance of two or three sober Yankees to enable him to navigate the streets of New Orleans, right side up."²⁹

Hamilton's path to notoriety resembled in many ways that of his fellow Jacksonian, Andrew Johnson of Tennessee. A former Austin lawyer, acting attorney general, and state representative, Hamilton went to Congress in 1859 as an Independent Democrat, Houston ally, and Unionist. He favored Douglas during the election of 1860, and when Texas seceded, remained in Washington and searched for a compromise on the House Committee of Thirty-three. Hamilton later won a special election to the state senate and stayed in Texas—"bullying about the State capitol," in the words of the *Texas Republican*—until the spring of 1862, when he fled to

the hills west of Austin, where he administered federal loyalty oaths to other beleaguered Unionists. Hamilton eventually made his way with fourteen others—including his brother-in-law, George Gray, chief justice of Travis County—to Matamoros, Mexico, despite the large reward offered for his capture and a botched kidnapping attempt.³⁰

As an example of the determination of Southern Unionists to help their northern friends save the Union, Hamilton became a hero all over the North. During the fall of 1862, he preached on the inevitable conflict between slave society and democracy in New York, Ohio, New England, and occupied New Orleans. He expounded the strength of Unionism in Texas, explained the diabolical plans of the slave power aristocracy to rob nonslaveholders of their rightful political power, denounced any sort of negotiated peace that recognized secession, and stressed the necessity of ending slavery in order to establish a postwar South in which everyone, not just a small minority of slaveowners, would prosper. Northern audiences, particularly Republicans, lionized Hamilton for his courage and his principles. "Of those sturdy and irrepressible patriots who ennoble their race by devotion to their country," rhapsodized the *New York Times*, "Andrew Jackson Hamilton, of Texas, should stand at the forefront." By November the Texan held commissions as a brigadier general in the Union army and as military governor of Texas, with the authority to raise troops, commission officers, and "re-establish the authority of the Federal Government in the State of Texas." Secretary of War Stanton reminded Hamilton that "upon your wisdom and energetic action much will depend."³¹

Hamilton found little opportunity to utilize his wisdom and energy. He joined Maj. Gen. Nathaniel Banks in New Orleans late in 1862, but did not reach his home state until Banks's invasion of Texas in 1863. Hamilton accompanied the troops to Texas and set up headquarters in Brownsville, but he and his Yankee allies occupied Texas for only a few months before they returned to New Orleans. There he hatched plans to win the war and to make money. His association with cotton speculators from the North led Banks to complain that members of his entourage were in New Orleans "for the basest mercenary purposes. . . . The strongest government in the world would break down under such a system of plunder as they desire to organize."³²

Hamilton never achieved his war aims or financial goals, although he stayed in New Orleans until the summer of 1865; his accomplishments during the war never matched his fame, and personal tragedies made his war a hard one. His young daughter Katie died just before he fled Austin, his house and everything in it burned in July 1864—the *State Gazette* reported that "we have not been able to learn whether it was the work of an

incendiary, or occurred through accident"—and his wife and family, four daughters and two sons, were unable to leave Texas until late in the same year.³³

Despite his largely inconsequential wartime career, Hamilton represented for many Texans the most dangerous sort of disloyalist. A former slaveowner, Hamilton gradually metamorphosed from a Jacksonian Democrat to an advocate of emancipation and a postwar Republican. From the Unionists' standpoint, Hamilton was typical in that his devotion to the Union stemmed from his prewar political and constitutional beliefs. Unlike many other southern Unionists, however, Hamilton easily converted to the antislavery cause—although his later enthusiasm for the civil rights of freedmen was limited. He emphasized the inequities in southern society and the natural antagonism between the interests of slaveowners and nonslaveholders, echoing many of the ideas of that southern anti-Christ, Hinton Rowan Helper. As a result, unlike those Confederate Unionists who found themselves without a cause or those Unionists who merely hoped to reconstruct the Union as it had been before 1861, Hamilton and those few men who were able to adopt northern war aims considered the war to be a victorious one, at least temporarily.³⁴

John L. Haynes shared many of the views of his mentor, A.J. Hamilton. A state representative from the heavily Mexican-American Starr County, a member of the Democratic Opposition in Texas, and a supporter of Sam Houston, his advocacy for Hispanic Texans made him even less popular than most other Texas Unionists. He had first antagonized the state Democratic establishment, not to mention many of his Southwest Texas constituents, when he suggested that the border crisis of 1859–1860—during which Juan Cortina terrorized Anglos along the Rio Grande—might have been caused by land frauds perpetrated upon Mexican citizens by Texans. Brownsville residents responded by hanging an effigy of Haynes, and the *Brownsville American Flag* published a poem that satirized Haynes's efforts on behalf of "that greaser band / Who shed his country's blood." Another edition ran a bogus election banner that touted Juan Cortina for president and Haynes for vice president.³⁵

Haynes followed up his defense of Hispanics with a spirited defense of the Union. Despite his apparently enlightened racial outlook, he was no abolitionist, but he was, like any loyal Jacksonian Democrat, devoted to the Constitution and to the Union. "No man nor any majority of the people of this State," he wrote in an "Address to the People of Starr County," published in the *Southern Intelligencer*, "can absolve me from the superior allegiance due to the Constitution and Government under which I was born, and through which I inherit my present liberties and rights as an American citizen." On a more practical level, Haynes was convinced that

secession would put the South in an untenable position. A southern Confederacy could not sustain itself, frontier protection in Texas would prove prohibitively expensive, and the destruction of the Union would pave the way for the seizure of power by a military despot.³⁶

Haynes combined the issues of sectionalism and anti-Mexican feeling among Anglo Texans in a June 1859 address published in Spanish. In it, Haynes urged his "Fellow Citizens of Starr County" to support Sam Houston for governor and A. J. Hamilton for United States Congress, and to oppose the candidates put forth by the state's regular Democrats. Haynes linked the radicals' attempts to reopen the African slave trade with their anti-Mexican attitudes and accused them of scheming to resurrect a system of peonage in order to employ and control the large class of unwanted Mexicans. Haynes also reminded his constituents of Travis County's 1854 exclusion of transient Mexicans. Several of the men who participated in those proceedings, including John Marshall of the *State Gazette* and W. S. Oldham, were now among the most important radical Democrats in the state. Haynes urged his readers to "go united to the polls to vote in favor of our true friends and to bury our enemies in disgrace and confusion." Three years later Haynes had become even more of a maverick in Texas politics. Sometime in 1862 he left Travis County—where he had lived since the summer of 1860—to become lieutenant colonel of the First Texas Cavalry, eventually rising to colonel of the Second Texas Cavalry.³⁷

Thomas H. DuVal enjoyed far less notoriety than either Hamilton or Haynes, and was able to tarry in Austin until the fall of 1863, living an uncomfortable but relatively safe existence on his acreage near the capital city. When he finally left, his reasons had little to do with physical dangers or with a yearning for the military life. Rather, DuVal left because of pressing financial difficulties and because it appeared that he would finally be forced into active duty with the state militia. A former secretary of Florida Territory and the brother of two heroes of the Texas Revolutionary War, the fifty-year-old federal judge for the Western District of Texas had arrived in Austin in 1846. A confirmed Jacksonian Democrat—Andrew Jackson had appointed his father governor of Florida Territory—and a friend of most of the other Unionists in Travis County, DuVal dismissed secession as a "sinful and suicidal act on the part of the State." Indeed, when "madness ruled the hour, and treason triumphed," he refused to resign from the federal bench. Instead, he remained in Austin, working briefly in the state land office and for the county surveyor in order "to keep my family from starving" and to avoid conscription. With "poverty pressing sore upon" him, and when it became apparent by October 1863, that if he stayed in Texas, he would have to "take up arms against my country," he left his family and made the long journey to Washington, D. C.³⁸

DuVal's rather strange existence in Austin during the first two years of the Civil War demonstrates the surprising—though never predictable—tolerance displayed toward Unionists in some parts of the South, including heavily Unionist Travis County. Although Travis countians had chased A. J. Hamilton into the central Texas hill country, for the most part Austin Confederates left DuVal and his other friends alone. With his federal court in permanent recess, DuVal spent much of his time gardening, fishing, and talking politics with S. M. Swenson, George Paschal, E. M. Pease, and other Unionists. This "tory lot" drank brandy at a Barton Creek fishing hole, chaperoned swimming parties, and met in Austin several times a week, as hungry for war news as the secessionists. They often debated the accuracy of the notoriously unreliable reports from the east. "Hurrah for humbug," DuVal wrote in April 1863, after a newspaper reported yet another imaginary rebel victory. "I fully expect to find out, when the truth is known, that *the boot is on the other leg*."³⁹

But the lives of Austin Unionists were not as carefree as they appeared. As the war progressed and as other Unionists were killed, imprisoned, or forced to emigrate, DuVal's deepening poverty alarmed him. "I don't know what to do," wrote the melancholy judge. "I am very unhappy here doing nothing for myself or family and [with] no prospect of anything in the future." Worse, as the Confederate need for manpower grew, DuVal realized that he might be liable to conscription. In that case, he wrote in an uncharacteristically dramatic passage in his diary, "I shall be called out by a higher power than the Governor." He had already made up his mind "to take no part in this revolution on the side of the Confederacy." Before he would submit to military service "to aid in breaking up the Government of my fathers, I will sacrifice all—even life itself." Nevertheless, DuVal dutifully attended a militia muster in August at which only half of the men called showed up. By September 30, DuVal had made the painful decision to leave his family in Austin.⁴⁰

DuVal's wartime service was far less eventful than his month-long journey to Washington, and his contribution far smaller than he had hoped. After a distasteful round of "dancing attendance in the anti chambers of the great," he finally received \$5,500 in back pay for his salary as district judge. Like many other southern refugees, the judge from Texas unsuccessfully urged upon President Lincoln, Secretary of State Seward, and anyone else who would listen, his own plan for the conquest of Texas, the gradual emancipation of the slaves there, and the utilization of what he believed was a powerful Unionist majority in the state. After he finished his business in Washington, DuVal traveled to New Orleans and then joined many other Texas refugees at the headquarters of the federal expeditionary force in Brownsville. He spent a frustrating few months

there with the newly commissioned Brigadier General Hamilton, then accompanied the expedition back to New Orleans, where he sat out the rest of the war. Early in 1864, he complained in words undoubtedly echoed by Unionist refugees throughout the South, "the sort of existence I am leading here is very wearying."⁴¹

Another Austin lawyer and Unionist home guardsman, John Hancock, avoided that existence until the fall of 1864, when pressure from Confederate conscriptors finally convinced him to leave. The Alabama-born attorney was thirty-seven years old when the war began. A slaveowner who, even after the war ended, showed no inclination to change the status of southern blacks, Hancock was A.J. Hamilton's law partner, a state district judge, and a Democratic legislator. Hancock had opposed secession, predicting that "the little oligarchy down south would wither and crisp before the march of the Federal Army like a piece of paper in a flame." When Hancock refused to take the required oath to the Confederate government, he lost his seat in the legislature and spent the next two and a half years breeding livestock and defending Unionists who ran into trouble with Confederate authorities. The Confederate John Ford recalled that Hancock would warn prospective clients about his political inclinations in order to prevent future problems. Hancock struck a more or less neutral pose for most of the war, hoping to remain in Texas as a noncombatant, and he lasted far longer than most of his Unionist colleagues. However, in early 1864, he told Ford that Confederate authorities were trying to force him into the army, and by May he was giving speeches to the federal troops in Brownsville. Hancock's departure prompted the *Dallas Herald* to approvingly report—in a pointed reference to the capital city's large population of unsavory characters—that "Austin is undergoing purification." Hancock's brother George, too old for Confederate service, stayed behind, although he had flown a United States flag from a flagpole above his store in Austin until after the battle at Fort Sumter.⁴²

Hancock spent most of the last ten months of the war in New Orleans recruiting troops, trying to organize the trade in Texas cotton, and aiding other refugees from his home state. Hancock found his work profoundly unrewarding and the quality of the men who fled Texas late in the war unimpressive. Many, he wrote in his diary, "have staid as long as they found it profitable or safe and no[w] come away to let others settle [the] difficulties" after which "they will return." He complained of wasting time on "air castles, mostly constructed of cotton," and doubted the abilities of the men who hoped to set up a system for getting cotton out of Texas. His generosity toward other refugees threatened to impoverish him. "I am constantly spending money," he wrote. "There is a constant drain on me by the Texans here in destitution. It is hard to refuse those who have no means

or employment, and yet I shall be in that condition in a short time." His life in New Orleans bored him; "I have always had a partiality for uniformity in most things," he confided to his diary, "but the life of a loafer, or a Texas Refugee without business, which is about the same thing, has a uniformity that is becoming not only tiresome [*sic*] but disgusting."⁴³

Not all of Travis County's principled Unionists were forced to live the "disgusting" life of a Texas loafer. The dedicated National Democrat, former governor, and prominent member of St. David's, Elisha Marshall Pease, was a Connecticut-born attorney who had fought in the Texas Revolution. In the 1850s, he denounced the state party's overtures toward reopening the African slave trade and the leadership's attempt to ostracize dissenting members. Although he owned slaves himself, he once told his friend, William P. Ballinger, that slavery could not last fifty more years. After his campaign against secession failed, he retired to his estate near Austin and refrained from giving out any legal or political opinions. His resistance to the Confederacy resulted in a Confederate tax collector confiscating his horse and buggy in lieu of payment in 1862. He did not return to public life until after the war.⁴⁴

One of the most noted, eloquent, and hated stay-at-home Unionists was George Washington Paschal, the epitome of a southern dissenter who remained devoted to the South. Paschal edited the *Southern Intelligencer* in the late 1850s, married Thomas DuVal's sister, and was one of the dozens of lawyers practicing in Austin before the war. A Georgian who had become chief justice of Arkansas in his twenties, Paschal moved to Austin in 1848. A benevolent slaveowner, he wrote shortly after the war of his "heartly devotion to every measure which extended the area of slavery" proposed before the war, and believed that "the institution was religiously, morally and economically right, wise and just." An ardent Democrat, he hated Know-Nothings, Republicans, and abolitionists, but nevertheless opposed the radical activities of Texas Democrats to the point of nearly fighting a duel with the secessionist John Marshall of the *State Gazette* in 1859.⁴⁵

In a letter to George W. Smyth in the spring of 1860, Paschal denounced the recent state Democratic convention for adopting an "open secession platform" and swore to "battle for the National Democracy and the Union." When he accepted an invitation to run as a Bell-Everett elector later that year, he repeated his pledge in a letter printed in many newspapers around Texas. He argued that Lincoln must be defeated, but continued, "with those who believe no union is necessary, I have no sympathy. I am not prepared for a dissolution of this great and glorious government." Paschal predicted that disunion would result in civil war, and declared that "whatever battles I might fight would be for the preser-

vation of the Constitution and the Union, not for the destruction of the latter because the former has been violated.”⁴⁶

Although in 1862 Paschal publicly claimed to have “acquiesce[d] in [Texas’s] fortunes for weal or woe,” he never really accepted the fact that his state now waged war against his country. William Pitt Ballinger found Paschal “very bitter on the political divisions” shortly after Lincoln’s election, and in 1863 Paschal told James Bell that he could see “nothing but misery before the country.” Paschal spent most of the war years opposing conscription, defending conscript evaders in court, and beginning his life’s work of codifying the laws of Texas. The *Texas Republican* reported in the fall of 1862, that Paschal had finally paid his Confederate taxes after authorities threatened to turn his house into a military hospital. Early in 1864 a squad of local militiamen broke into Paschal’s home and arrested him. Despite his daughter’s determined attack on one of the intruders—she drew blood when she bit his hand—his arresters held Paschal in a local jail for several days without charging him with a crime. When DuVal heard of Paschal’s arrest from a party of refugees in Brownsville, he “fully expect[ed] to hear that the Judge was murdered,” but Paschal eventually went free.⁴⁷

Although Paschal stayed in the Confederacy throughout the war, he refused to serve its government or hope for its success, and two of his sons and a stepson—G. W., Jr., and Ridge Paschal, and W. D. Price—fled Texas to join the Union army.⁴⁸ In an 1863 letter he told his colleague and friend William P. Ballinger the reasons he opposed the Confederacy. He hated the powers that the Confederate government had assumed in order to prosecute the war and the Know-Nothingism that appeared in the Confederate Constitution. Paschal’s primary target was conscription, which had “effectually destroyed the spirit of volunteering” among the men of the South and the evasion of which had led some areas of the Confederacy to the brink of civil war. The policy of conscription, Paschal wrote, “declare[s] that every free man belongs body, soul and blood” to the Confederacy. Southerners now “have no choice as to whether they shall be soldiers or not”; they could no longer select their own officers or their own regiments, much less choose “for or against what cause they shall fight.” Southerners no longer knew “who may be arrested any day by martial law,” or “whose property may be taken by any corporal[s] guard without law.” Commerce was no longer controlled by Congress, but by military officers, and Confederate citizens “are subject to be taxed without limit, and . . . forcibly denied the right of immigration.” Casualties, enemy occupation, and disaffection had deprived the Confederacy of many soldiers; immigration restrictions prevented the utilization of immigrants as citizens and soldiers. In sum, Paschal predicted doom for the Confederacy and its people

in both the military and the constitutional senses. "The disease is at the root," Paschal lamented, "the northern armies can never subjugate us. But we have subjugated our own people."

Paschal applauded Ballinger's course since he "fell in with the revolution," and betrayed a trace of envy toward Ballinger's southern patriotism. Yet Paschal could not bring himself to support the Confederacy as loyally as Ballinger. "That ardent patriotism which you feel," he told Ballinger, "cannot be infused into the masses by the great army of office holders who have turned Speculators." Ballinger must use his influence "against the abominable listlessness, which submits to all kinds of subjugation." Paschal wearily closed his letter with the wish that he and Ballinger could meet. "I never talk," he complained, "because I should not be understood. Like you I look not to the past right or wrong; but I look the facts square in the face."⁴⁹

The differences between Paschal's and Ballinger's interpretations of those facts reveal the point at which the spectrum of allegiance to the Confederacy shaded from loyalty to disloyalty. The Whig Ballinger and the Democrat Paschal both loved the South and agreed on many aspects of the sectional conflict. Neither celebrated the emancipation of the slaves, both decried the South's decision to secede, and both, at least early in the secession crisis, thought that the people would eventually come to their senses and allow society to return to normal. Once the war began, however, Ballinger and Paschal followed increasingly divergent courses. The former, inhibited by his Whiggish conservatism, served the new order as an appointed official and with his writing, while the latter, sparked by his Jacksonian love for the Union and states' rights, did everything he could to foil the assumption of what he considered to be unconstitutional powers by the Confederate government. Both men sought to protect the southern society they loved, but responded to the Confederacy very differently. As a result, some of the most ardent secessionists respected Ballinger and considered him a loyal rebel. Paschal, on the other hand, was arrested, deprived of his property, and forced into a wartime retirement. Paschal, and to a greater or lesser extent many of the other political Unionists, had before the war participated in all aspects of southern society and in the economy and government of Texas. Yet, when the war began, they rebelled against the Confederacy because to support it would be to deprive their state of what they believed to be one of its most important virtues: its membership in the Union.

At the opposite end of the Unionist spectrum from Paschal were those Texans who actually joined the federal army.⁵⁰ Refugees—especially those who had migrated to Texas from the free states—often found their way into

northern army units early in the war. At least thirty-nine men who later enlisted in federal regiments from Texas had previously been in other units; over half served in New England outfits, while a handful were veterans of the United States regular army and a few others came from Union regiments in Louisiana. Five men volunteered for duty in black regiments either before or after their service for Texas.⁵¹

Confederates jailed Charles Anderson, an Ohioan before he bought a horse ranch near San Antonio in 1858, because of his outspoken opposition to secession. Anderson nevertheless escaped, became colonel of the Ninety-third Ohio, and in 1863 won election as lieutenant governor of his home state. The Mills brothers of Indiana, Anson and William, led El Paso's Unionist refugees and soldiers. Anson, who had attended West Point for a few terms, headed east after the local vigilance committee threatened his life, and rendered distinguished service in the Army of the Cumberland. Anson's younger brother William—the future husband of A. J. Hamilton's daughter, Mary—shared his brother's political beliefs and defiant attitude. After a brief imprisonment as a spy by Confederate authorities in El Paso, he served rather erratically with the federal troops in New Mexico until the fall of 1862, when he became a Federal Customs Collector for New Mexico with his headquarters in Union-occupied El Paso. Unlike Anderson and the Millses, Rev. Thaddeus McRae had grown up in the South. McRae's belief that secession was unconstitutional estranged him from his Louisiana congregation and, thinking Texas to be outside the "region temporarily abandoned by God to its own devices," McRae accepted a call from a church in Port Lavaca. Unfortunately, McRae arrived in Texas at about the same time as secession fever, and "there I was again with a bastard flag, floating over me." As the war grew bloodier, the efforts of some members of his congregation to keep the local vigilance committee at bay proved unsuccessful. The reverend "took the occasion to leave and retire to 'Abraham's Bosom,' " in the words of a Houston newspaper, when federal troops raided Port Lavaca in late 1863. He eventually made his way to New Orleans, where he became a chaplain in a military hospital for black troops.⁵²

A survey of the "Index to the Compiled Service Records of Union Soldiers from Texas" reveals that more than two thousand Texans (2164) enlisted in federal forces. Most joined the First and Second Texas Cavalry Regiments. The former, organized in the fall of 1862, found recruits among the Unionist refugees in New Orleans, while the latter took shape very late in 1863 along the lower Rio Grande Valley. They saw extended field duty and combat in the swamps of Louisiana, and participated in federal expeditions into Texas in 1864. Plagued throughout the war by poor mounts,

irregular issues of uniforms, and short rations, these Texans nevertheless contributed more to the Union war effort than any other group of Texas Unionists.⁵³

Edmund J. Davis, the only Texas field officer to attain a brigadier's star in the federal army, commanded the First Texas at its mustering in and later headed a brigade to which the First belonged. He was yet another Unionist product of the Opposition wing of the Democratic party. A Florida native and originally a Whig, Davis moved to Corpus Christi in 1849 and soon won admission to the bar. As the Whig party disintegrated, Davis gravitated toward the Democracy, a move accelerated by his distaste for the Know-Nothing party. After a tour of duty as district attorney for Cameron County, he became judge of the state's twelfth district in 1856 and was, according to the Englishman R.H. Williams—with whom Davis would cross paths during the war—"popular with a certain section of the people." Local political parties in the lower Rio Grande Valley, called the Reds and the Blues, had grown out of land-title disputes. Davis belonged to the latter faction, the members of which were usually Unionists by 1860.⁵⁴

Despite his prewar Unionism, Davis did not begin the war as a rebel against the Confederacy. In a speech at the Corpus Christi courthouse late in April 1861, Davis accepted the decision of the people of Texas, and urged Texans to unite to defend their honor and rights. In the same speech, however, he attacked the secession convention's unseemly and illegal adoption of the Constitution of the Confederate states; denounced the rashness of the secessionists' actions, which could only lead to a huge public debt; and claimed that the Confederate constitution's three-fifths clause would discriminate against Texas because of her relatively small slave population. Despite his profession of support for secession, Davis followed Sam Houston's lead in refusing to take the oath of allegiance to the Confederacy, and his state district court soon fell into disarray. After an uneasy year in Texas, the conscription act and clashes with local vigilantes prompted Davis to leave for Mexico in May 1862. After a flying trip to Washington, Davis returned to New Orleans with a colonel's commission and the authority to raise the First Texas Regiment. Davis served the federal government ably but unspectacularly, spending most of his war in Louisiana, where he sometimes commanded up to two thousand troops. Late in 1864 he became a brigadier general of volunteers.⁵⁵

Unfortunately, the rank-and-file members of the First and Second Texas, like the privates and noncommissioned officers of most armies, left few written documents. Many volunteers came from the hundreds of destitute refugees who flowed into Matamoros and New Orleans, who took to heart A.J. Hamilton's cautionary advice to them: "If you are not willing

to fight to reclaim your home, then you deserve no aid, and will get none." Some had deserted from the Confederate army while stationed along the border; some were Germans or Hispanics anxious to seek vengeance for injustices committed against them by Texas Confederates; many doubtless shared the ideals of officers such as Davis and Haynes and were truly committed to the Union cause.⁵⁶

The reactions of the families of Texas Yankees have not survived. But at least some no doubt responded in the same way that the family of Capt. Charles Steedman of South Carolina reacted to his announcement in late 1860—after his state had seceded from the Union—that he would remain loyal to his country and continue to serve it in the United States Navy. Charles's brother James reminded him that "there is not one of your relations but who are strong supporters of South Carolina . . . and we all expect you to do your duty to your God, your State, and Truth." When his sister Eliza heard of his decision, she "felt that my blood was cold in my veins" and cried out "no, not my Brother a Traitor to his Mother Country, where he first drew breath & saw the light of Reason, & most of all where lie the bones of his Father, Mother, & many dear relatives." She "could not persuade myself that a Brother . . . true Southern in soul & body, could ever allow Northern principles to contaminate his pure soul." Steedman's wife, a Pennsylvanian, bolstered his convictions. "Be prudent," she wrote in April 1861, "and don't let any excitement carry you out of your steady course."⁵⁷

Despite family and social pressures, hundreds of Texans, including a large number of Mexican-Americans, signed on with the Union army. On the basis of a crude analysis of surnames, it can be estimated that Anglos and Germans made up 46.3 and 13.1 percent of the Texas regiments, respectively, but that *tejanos* made up fully 40.6 percent, far above their share of the civilian population. This is especially true of John L. Haynes's Second Texas. Over half of the original six hundred or so enlistees in the junior regiment were Hispanic. Vidal's Partisan Rangers—largely deserters from the Confederate army—and most of the over four hundred Mexicans already serving in the First Texas later transferred to the Second, creating a unit in which perhaps three-fourths of the troopers were Mexican-Americans. Anglos, Germans, and Mexicans fought in nearly every company of the First and Second Texas, but there was a strong element of segregation in the regiments. About 75 percent of the First Texas's Hispanics, for instance, served in Companies H, J, K, L, and M—compared with about 12 and 7 percent for the Germans and Anglos, respectively—before moving over to the *tejano*-dominated Second Texas. Exactly one-third of the Texas Germans in the Union army (ninety-four men) joined Company E of the First Texas, including Adolph Zoeller, their captain,

while thirty-four found themselves in the Second Texas. Anglos, of course, made up the majority of many companies; the four-score-and-five members of the elite "Hamilton's Bodyguard" included no Mexicans and only fourteen Germans.

The two regiments from Texas generally drew scouting or garrison duty, although they occasionally found themselves in the middle of sharp skirmishes against Confederate forces that sometimes included friends, relatives, or enemies from Texas. Their lives resembled the lives of all Texas refugees during the war, with the responsibilities and dangers of military service added to the worries and homesickness spawned by separation from loved ones. Despite their backgrounds and their unique role in the federal army, their service seems to have differed very little from that of other Yankee soldiers—except, of course, for the very large fact that they were not Yankees. Their route to dissent—at least the route taken by their officers—resembled that taken by nearly every other Texas Unionist. Their convictions, or ambitions, or personalities, however, carried them to the far end of the spectrum of loyalty to the Union—they actually took up arms against their native region to defend a government and a constitution that a majority of their fellow southerners had come to believe threatened the way of life of that region. The extent to which they became outcasts in their own state was rather ludicrously exhibited early in the war when the legislature briefly considered a bill making service in the Union army sufficient grounds for divorce.⁵⁸

This is not to say that all of these southern-born Yankees served the United States unflinchingly. About a quarter of the total number of Texans in the federal army eventually deserted. One Yankee officer recorded the desertion of two men from the First Texas in July 1864; they had gotten themselves admitted to the post hospital by feigning illness, but took advantage of an exercise period to "vamoose . . . the ranch." Lt. Benjamin McIntyre of the Nineteenth Iowa did not "think any notice was taken of it so common has become the desertions of Texas Cavalry." The federal commander at Brazos Santiago complained that "no dependence can be placed upon the detachment of First Texas Cavalry" assigned to him, as "they desert at every opportunity." He could not even send other troopers after the deserters, as only the Texans were familiar with the territory, and he could not trust them to return to camp. Despite such lapses, many Texans steadfastly performed their military duties throughout the war.⁵⁹

The plight of Texas refugees—at least those who did not serve in the First or Second Texas—demonstrates the mixed reception they received from the federal government. Some government officials welcomed them with open arms and showed remarkable compassion, transporting them to safe quarters in New Orleans and providing them with jobs, provisions,

and sympathetic ears. Nevertheless, refugees could never count on such positive treatment, and their needs and plans were rarely considered. Their situation resembled in many ways that of freedmen, whose experiences as contraband or as soldiers were decidedly mixed.⁶⁰

Some prominent political refugees from Texas—including several of Thomas DuVal's old fishing companions—weathered the war rather well, because of their wealth or their ability to find work. S.M. Swenson, a Swede who was shipwrecked off Galveston in 1838 and who eventually became a prosperous Austin businessman and crony of Sam Houston, feared for his life and decided to leave Texas in the autumn of 1863. He secured a pass from the provost marshal of Travis County to go to a health resort in Arkansas, then headed in the other direction to Mexico, reaching Brownsville on October 31. Swenson spent the remainder of the war in Mexico and New Orleans, accumulating a fortune in the cotton trade. Amos Morrill, another Barton Creek tory, accompanied Swenson. A descendant of an old New England Puritan family and a Whig, he had lived in Texas since the 1830s and for a time shared a law office with A.J. Hamilton. His northern political connections earned him a job in the New Orleans customs house during the last year of the war. Yet another Travis County refugee, Anthony B. Norton, earned the rancor of secessionists before the war as the Unionist editor of the *Southern Intelligencer* and as a conservative lawmaker. In a speech to the legislature in January 1860, Norton urged Southerners to look to their friends in the North, to turn away from those southern radicals who "seek to proscribe, and read out, and 'place at the foot' their own countrymen—bone of their bone, and flesh of their flesh." After Norton's flight from Texas in the first year of the war, the *Marshall Texas Republican* castigated him as an "Ohio abolitionist" and "vile demagogue" whose vices were tempered only "by his being a man of feeble abilities." Norton spent most of the war in the Midwest, where he worked to alleviate harsh conditions for Texans in Union prisoner-of-war camps.⁶¹

The northern-born missionary Melinda Rankin fled Brownsville and her Rio Grande Female Seminary in September 1862, when the southern Presbyterian ministers with whom she worked ordered her to abandon the school because of her contacts with northern missionaries and her lack of sympathy for the Confederate cause. During the next year she taught school in Matamoros, and nursed Union soldiers and conducted a school for freedmen in New Orleans. She accompanied the federal invasion force to Brownsville in 1864 and rebuilt her school, only to return to New Orleans when the federals abandoned the Rio Grande expedition.⁶²

Another South Texan, Reading W. Black of Uvalde, departed Texas in 1862 to protest the Confederates' mistreatment of Texas Germans. In his absence, he left the management of his half interest in a shipping firm to

his partner, N.L. Stratton. He warned Stratton that he had "no idea of working for the Rebels in any way." When his partner ignored Black's wishes and contracted a profitable business with the Confederate government, Black urged him not to be "too sure of your ill gotten gains." Even if the Confederacy succeeded in its revolution, "it is the easiest thing in the world with a \$100 to hire one of your brother Confeds to hang you before you would get 10 miles from Brownsville." Remember, threatened Black, "it was no idle oath that I swore before I left Uvalde that I would exterminate any man woman or child who would injure me to the value of a three day old chicken."⁶³

Of course, most of the hundreds of refugees from Texas did not have the resources of well-known politicians, businessmen, lawyers, or civic leaders. Many were deserters from the Confederate army or conscript evaders, others were persecuted Germans from West Texas, and many were men who had in one way or another attracted the unwelcome attention of vigilance committees or military authorities in their home towns. An overwhelming number of them shared at least one characteristic, however: observers constantly emphasized the poverty into which their exile had thrust them. Late in 1864, E.D. Etchison, United States consul at Matamoros, sent a message to Gen. W.A. Pile that included a poignant, if somewhat melodramatic, description of the plight of the refugees and a plea on their behalf for aid. The refugees "daily coming in from Texas," Etchison wrote, were "destitute & forlorn, hungry and naked, sick and emaciated." They were "thousands of miles from their native hills & friends at home," isolated "here on the Mexican Rio Grande, begging for food to appease their hunger, for garment to hide their nakedness." Etchison could not get them out of his mind. "Their pale faces & haggard looks, their sunken and glasing [*sic*] eyes haunt me in my dreams. I hear them exclaim My God! My God! hast thou forsaken me."⁶⁴

Although early in the war a number of Unionists journeyed by wagon train to California, most refugees chose the shorter trip to Mexico. United States consuls in Matamoros and Monterrey sent a steady stream of Texans to New Orleans—at government expense—and usually did all they could to help the refugees. The acting consul at Monterrey told Secretary of State William Seward in June 1863, that "I am seldom without some Texas refugees on my hands. They come to me destitute of money and often nearly naked." After his resignation as consul at Matamoros, Leonard Pierce submitted a bill for \$24,000 to the State Department for the care of refugees. In Brownsville, refugees with families were placed in houses recently evacuated by Confederate sympathizers and issued army rations in return for any sort of work they might be able to do for the government.⁶⁵

The evacuation of that border town by Union forces in the summer of 1864 eliminated federal protection for those refugees—not to mention the other benefits of life within the Yankee lines—and sparked a frantic exodus. A member of the retreating army reported that “the citizens [of Brownsville] generally [*sic*] are very much excited.” Many had sworn allegiance to the United States government. “We have given them protection and very many aids and secured them every privilege a free people could ask and a bright future seemed dawning upon them.” Now, however, they “feel that their hopes and expectations are blasted—the future to them is dark and dreary with not a ray of light to dawn upon them.” They could not stay in Brownsville, “for certain death await[s] them.” On the other hand, “if they leave they go as beggars for they must sacrifice [*sic*] every possession of home and the comforts surrounding it.” A “stampede” across the river to Matamoros ensued. “The landings upon both sides of the river is [*sic*] piled with household goods of every description,” wrote the northern officer. The Unionist citizens “seem to swarm out like bees from an interrupted [*sic*] hive.”⁶⁶

The experiences of the Brownsville expatriates underscore the inability or unwillingness of federal authorities to guarantee protection or sustenance to their southern allies. This extended to those men who had sought refuge in New Orleans, which overflowed with them. John Hancock wrote in his diary that one morning late in 1864, “at an early hour, Refugees appeared about the hotel, and several came into my room.” They seemed “to feel a sad sort of pleasure in talking over their trials, hardships and wrongs.” He believed that these people deserved the help of the federal government. “Not a thought seems to have been given to the condition of these unfortunate Refugees, who, because they remain true to the Federal Government, have been driven from their homes . . . in a state of great destitution.” They work at menial jobs for low wages “barely sufficient to procure them the cheapest . . . clothing.” They endured persecution, the hardships of life as fugitives, and “daily suffer unutterable mental suffering” over the condition of destitute families left back home, “subject to all the abuse and outrages of brutal soldiers who are persuaded that to tyrannise over unionists is meritorious.” The government must do something, according to Hancock, to relieve their plight.⁶⁷

Thomas DuVal, for one, resented the treatment he received at the hands of government representatives. When he arrived in New Orleans on Christmas Day, 1863, he was sent to the office of George Denison, a customs official who had lived in Texas for several years before the war. Denison had to certify DuVal’s loyalty to the Union before the Texan would be allowed to join the federal invasion force at Brownsville. “I felt acutely this treatment,” DuVal fumed in his diary. “The idea that I should go to

hunt up a stranger to endorse my character and my loyalty was something hard to brook.”⁶⁸

A newspaper briefly published by Union soldiers in Brownsville also angered DuVal. The *Loyal National Union Journal* supported “the army, the people, and the [re]election of ABRAHAM LINCOLN.” The editors provided news, gossip, and less-than-flattering comments about the Texas refugees flocking into occupied Brownsville. “Everybody is a refugee,” reported the *Union Journal*, “or, as they more properly say, renegade.” In Brownsville, one could find the “best and meanest of mankind,” including “the sneak in the most profound perfection, who deserted the rebels . . . of whom, he was the most blatant and persistent.” Now, however, he was “cringing and willing to take any oath that will get him a voucher for a pair of mules or a bale of cotton.” Other articles castigated those refugees, who “having sneaked out of rebelldom . . . now want to hide or remain neutral.” Some had the “impudence” to think “they ought to have a pension for laying down their [Confederate] arms.” DuVal, not surprisingly, felt insulted at the insensitivity of the paper’s editorial generalizations. “It is calculated to make loyal men desperate,” he wrote, and would give refugees “the most erroneous impressions about the good sense and intelligence” of Yankee soldiers.⁶⁹

Another refugee complained in a petition to the commander of the Brownsville forces that the federal occupation had not benefited those Texans who had steadfastly supported the Union, but had instead profited speculators who pledged the federal oath in order to make a killing in the cotton market. If such men “are to amass wealth in the service of Rebellion while we are made poor because of our loyalty” and regain power over “the destinies of the community,” then bona fide loyal men “shall wake up to the fact that Loyalty is a crime to be persued [*sic*] with penalties while Treason is to be protected and rewarded as a Virtue.” The author, G.D. Kingsbury (alias F.F. Fenn, a name he had assumed upon arriving in Texas years earlier), the former postmaster of Brownsville, closed by declaring, “Either loyal men or Rebels are to be benefitted by the triumph of the Union army.”⁷⁰

Even Union soldiers from Texas could not escape the ambiguity in the federal government’s dealing with Texas Unionists. In March 1863, Col. Edmund Davis and another Texan, Maj. W.W. Montgomery, went to the booming border town of Matamoros to entice Confederate deserters into the Union army. Rebel tempers flared as Davis and Montgomery’s new recruits (estimates of their numbers varied from 120 to 300), while waiting for transportation to New Orleans, taunted Confederate soldiers across the Rio Grande. One rebel reported that “their boasting talk . . . had riled the boys very much,” and a party of volunteers crossed the river on the night of

March 14, killed several of the “renegades,” chased the rest of them off, and carried Montgomery and Davis back into Confederate territory. By dawn, Montgomery lay dead and the raid had become an international incident.⁷¹ The federal government, however, did little to defuse the situation.

The crisis ended when Albino Lopez, governor of the Mexican state of Tamaulipas, threatened to suspend trade between Texas and Tamaulipas unless the raiders returned the surviving captive to Mexican soil. Citizens of Matamoros, finding another reason to distrust the Anglos on the north bank of the river, took to the streets to protest the violation of neutrality. Brig. Gen. H.P. Bee, commanding southern Texas, ordered Davis’s release, and by March 18 Davis and three other captives were back in Matamoros. Montgomery’s body, which apparently remained in its makeshift grave for months and served as a rather grisly tourist attraction for at least one European visitor, was not recovered until federal forces invaded the lower Rio Grande later in the year. They interred Montgomery’s remains with full military honors that included a eulogy by A.J. Hamilton.⁷²

Confederate Texans took advantage of the event to attack all those “renegades” who had gone over to the other side. “Alas, poor Davis!” moaned the editor of the *Brownsville Flag*, “he came back with a bogus commission as Colonel, and is now trying to steal what he promised to capture.” The *Flag* found it hard to believe “that we ever thought this man Davis honest; but his hypocrisy has furnished us with another lesson as to the depths of human wickedness. . . . Nature quit her work about the most delicate point in making him.” In a later article the *Flag* called Montgomery “a very desperate [*sic*] character, who had made himself notorious and objectionable to the Confederate citizens on this frontier.” The leading newspaper in the valley also questioned the accuracy of reports regarding the alleged anti-Confederate demonstrations in Matamoros after the capture. The “respectable portion” of the city’s residents understood the raid to be a personal matter not reflecting on them. But the “renegades” filling the city “took it in high dudgeon and got up a torchlight procession” consisting mainly of runaway slaves, renegade Texans, “a few barefooted Mexicans and any number of children.” The *Flag* scoffed that “the same crowd could have been hired to turn out for any disreputable purpose either to attend the funeral of a thief, or the orgies of a prostitute.”⁷³

John Haynes found in the anemic federal response to the Montgomery incident—Maj. Gen. Banks refused to retaliate against captured Confederates—a bitter symbol of the frustration felt by Unionists who were neither completely trusted nor given much to do by the United States

government. In a letter to Hamilton after the incident, he told about the capture and hanging of Montgomery. "Such is the fate of this bravest of the brave," he wrote about the crude treatment of the major's body. Haynes contrasted the reaction of the federal authorities in this matter to their severe treatment of Louisianans on the Red River who had ambushed and killed a Yankee officer. The latter "was from Massachusetts, Capt. [*sic*] Montgomery was but a Union man from Texas who had breasted the storm of secession with unyielding loyalty." The angry Texan asked "is not this a charter to the traitors to hang us all as tories and traitors to their unholy cause?" Haynes lamented the "hard" fate of Texas refugees: "Insulted, mocked at, deceived, and dishonored before our enemies—and then left to the vengeance of those enemies with their ready halters." Haynes demanded that the federal government take steps to make sure that the commissions given to Union men guaranteed them the appropriate treatment as prisoners of war, "otherwise our commissions have simply dishonored us, making us the laughing stock of our enemies and bringing us into contempt with every one."⁷⁴

That the United States provided very little aid to the refugees—beyond the rations, jobs, and protection given to some of them by individual federal commanders and representatives—highlights the fact that the agents of the United States government did not know what to do with them. Federal officials and army officers did not quite trust southern Unionists; the former seemed to think of the latter as southerners first and Unionists second. One member of the Unionist First Arkansas Cavalry wrote a book during the war that described the problems of loyal men in Arkansas, hoping to convince the northern invaders not to treat all southerners as though they were "the inhabitants of a conquered province." The experiences of destitute refugees illustrate the tragic dimensions of this distrust and lack of concern. The always unsatisfactory and often frustrating roles played by men such as John Hancock, Thomas DuVal, and A. J. Hamilton in the Union war effort reveal how little was expected of them and how federal authorities often perceived them as being in the way. Abraham Lincoln wrote that Hamilton's "long and painful . . . exile" had elicited from him "a deep sympathy," and he was instrumental in making the Texan a brigadier. Nevertheless, federal commanders never gave top priority to Hamilton's plans—not to mention those of his fellow Texans and many other southern Unionists. Far more than any other group of dissenters, the wartime Union men of Texas envisioned a southern society in keeping with northern war aims. They distrusted radical southern nationalists and often joined northern Republicans in perceiving the sinister workings of a conspiratorial slave power; they sought to preserve the

primacy of the federal government; and although few became confirmed abolitionists, all accepted the necessity of ending slavery. Nevertheless, most found their loyalty unrewarded and their contribution to the Union war effort unsatisfying.⁷⁵

Speculators, Deserters, and Bandits

Shortly after the southern defeats at Gettysburg and Vicksburg, Lt. Gen. E. Kirby Smith called the residents of his Trans-Mississippi Department “a lukewarm people, the touchstone to whose patriotism seems beyond my grasp.” They appeared to be “more intent upon the means of evading the enemy and saving their property than of defending their firesides.” Smith ordered the commander of the northern subdistrict of Texas, an area notorious for its disaffection, to crack down on deserters and other disloyalists. “Any enemies in our midst who by their acts and public expressions clearly evince their disloyalty,” he wrote, “must be disposed of.” The campaign to stamp out disloyalty failed, and less than six months later the military commander of Texas, Maj. Gen. John B. Magruder, notified Smith’s chief of staff that news from North Texas was “most gloomy.” He reported “that the public mind is in a most unsatisfactory condition, that a large portion of the people is disloyal.” The situation worsened over the next year. James W. Throckmorton wrote from Wise County very late in the war that “the distrust as to the condition of affairs is not confined to croakers or those who never really wished us success.” Disaffection “pervades every [*sic*] section and community, and is wide spread throughout the army.”¹

The conditions described in these letters were nurtured by long casualty lists, high taxes, impressment, and conscription. These factors could erode any man’s loyalty, and many southerners withdrew whatever support they had given to the Confederacy and retreated into a neutrality or noninvolvement that Confederate officials defined as disloyalty. Those same conditions encouraged many forms of economic disloyalty on the home front—depreciating Confederate currency, trading with the enemy, speculating in cotton or any other commodity—and led to the high rates of desertion and draft evasion that plagued Confederate, state militia, and home guard units. Some members of this extremely disparate group based

their actions on a foundation of Unionism, or at least antiseccessionism, but the “dissent”—if it may be called that—of most surfaced only after hardships and sacrifices destroyed their spirit, or after opportunities for economic gains or self-preservation led them to compromise their loyalty to the Confederacy. That they succumbed to weakness, weariness, greed, or even common sense, showed just how precarious was the unity with which the South had gone to war in 1861.

Southerners seemed to fear this class more than other types of dissenters. Unlike political dissenters such as A.J. Hamilton or John Haynes, these enemies undermined the Confederate war effort from within. They threatened southern society by rejecting their duty to protect it. Southerners hated them for their lack of principles or clear-cut loyalties and attributed the worst character traits to them, including cowardice, opportunism, and deceitfulness. The objects of this hatred, however, rarely sought to overturn a society in which they had little at stake; their disaffection was not against southern principles or institutions as such, but against the sacrifices demanded of them by the struggle to preserve those institutions. They simply refused to fight or to support a war in which they had nothing to gain or to protect. Perhaps the particular loathing that some southerners felt for them stemmed from the fact that their presence came as a complete surprise. The solidarity with which the South had begun the war had made southerners believe that their only internal enemies were the few who had publicly campaigned against secession; this “Fifth Column” caught everyone else off guard.

For all their tough talk, loyal Confederates neither classified nor treated all these pragmatists, opportunists, and shirkers alike. Southerners reserved their worst rhetoric and treatment for deserters and draft evaders, but even they were often shielded or at least tolerated by a large segment of the population. In a few instances, vigilant Rebels drove from their towns speculators or businessmen who had merely refused to accept Confederate money, but they more typically used pointed editorials or boycotts to shame violators of the Confederate ethic. Finally, although refugees and other citizens with suspect loyalties frequently endured vicious rhetorical attacks, they were seldom exposed to any physical violence and sometimes managed to win acceptance from the communities in which they lived.

A critical factor in most disaffection and much disloyalty was the poor morale that infected the Confederacy as its conflict with the North wore down the resources and energy of southerners. Enthusiasm for the war dwindled in stages, and different segments of society grew tired of the conflict for different reasons. The war had always dismayed former Unionists, and they were the first to reject the demands of Confederate cit-

izenship. Hill-country yeomen who had no stake in preserving the plantation economy and no reason—beyond a potent racism—for supporting slavery found themselves fighting for a way of life in which few of them participated. Conscription and its accompanying exemption clauses seemed unreasonably burdensome to them. Other southerners, even those committed to slavery and the plantation economy, disliked the fact that the Confederacy impressed their slaves and taxed their produce. Ardent states' righters, including some leading secessionists, lost their enthusiasm for the Confederate government when Jefferson Davis and other southern nationalists moved to centralize power in ways that, to them, made a mockery of states' rights. Still other previously loyal southerners became disenchanted after they concluded that the cause was lost and that further bloodshed was immoral. Some combination of these reasons led many to turn away from the Confederacy, and disaffection and outright disloyalty sprouted and grew in every Confederate state.²

The accelerating declension in southern loyalty late in the war seems, in hindsight, to have been inevitable. With the Confederacy's paucity of resources and men, with the mixed emotions—temporarily obscured by the passion of secession—of the mass of the population toward secession, and with the effect on southern institutions of the governmental centralization necessitated by the war, it would have been remarkable if the southern population could have retained the apparent unanimity with which it went to war in the bright, confident days following the attack on Fort Sumter. But loyal Confederates expected and even demanded the dedication of everyone, of course, and those southerners who fell or leaped off the Confederate bandwagon during the war often fared no better, and sometimes worse, than those Unionists whose principles had placed them in active opposition to secession from the start.

A wide range of activities raised the suspicions of loyal Texans against men whose actions—guided by cowardice, a lack of will, or hopes for personal gain—identified them as disloyal. Early in 1862 the *Dallas Herald* remonstrated against several local men who sought "to alarm the timid, to discourage the faltering, to injure our cause, prevent men from volunteering, and to afford encouragement and comfort to the enemy." The state legislature soon made it illegal to discourage men from enlisting in the army. Dock workers in Galveston flirted with disloyalty—at least in the minds of fervent Confederates—simply by refusing to remove government stores from the island when it was threatened with attack in the spring of 1862. After Brig. Gen. P.O. Hebert declared martial law over all of Texas, the men came back to work. The *Houston Telegraph* approved, and assured its readers that the provost marshalls would "guarantee that . . .

[neither] oppression on one hand [n]or treason on the other will be suffered.”³

A lengthy controversy developed early in the war over rumors about the possible dismissal of officials at the state penitentiary in Huntsville. As appointees of the dethroned Sam Houston, many had followed his lead and only reluctantly acquiesced in secession. A.P. Wiley wrote Houston’s successor that some men “of the radical stamp . . . are for decapitating . . . without benefit of clergy” anyone who was “lukewarm or laggards in the glorious cause of secession.” Superintendent Thomas Carothers defended himself to Governor Clark by writing that he had supported Houston in everything but the general’s “*seeming opposition*” to secession. Carothers underscored his loyalty by declaring that Jefferson Davis was his “*beau ideal*” of a Statesman, a General, a Man . . . *I would follow, to the Devil, if He lead the way.*”⁴

Amid their intrigues over the loyalty of neighbors and competitors, Texans also found time to target out-of-staters as suspicious characters, particularly refugees fleeing from the federal occupation of Missouri during the first year of the war. In October 1861, the *Dallas Herald* welcomed the large number of Missourians passing through town. Two weeks later, however, the *Herald* suspected that some of the refugees were not, in fact, from Missouri, as “everybody who comes down from the Red River country now, claims to be a Missourian, fleeing from the wrath of Lincoln.” Even some of the legitimate refugees seemed to be dodging their obligations as loyal southerners. The *Herald’s* editor counted a dozen “able bodied men, who . . . could do as good fighting as any in Price’s gallant army.”⁵

Other refugees experienced similar problems in Texas and doubtless shared the plea of a Louisianian temporarily residing in Kaufman County. “We are strangers in a land of strangers,” he wrote to Governor Murrah, with “none to appeal to but you.” Nevertheless, Texas enrolling officers sometimes conscripted refugees, despite their status as nonresidents. According to one refugee, a Dallas County conscription officer managed to draft every displaced person who happened to be in the county, contrary to the conditions of the conscription act. The widowed head of a refugee family from northern Louisiana also ran afoul of enrolling officers, who several times attempted to draft their overseer into the militia. The woman’s twenty-year-old daughter, Kate Stone, kept a journal during her family’s journey from their large cotton plantation northwest of Vicksburg to the isolated farms and villages of Lamar and Smith counties in northeast Texas, in which she described the suspicion directed toward refugees by the rough Texans she met. Residents of Tyler, for instance, called the many refugees gathered there “renegades”—the same term applied to turncoat

Texans. Kate unwittingly revealed one possible source of antagonism when she attributed the “strange . . . prejudice that exists all through the state against refugees” to “just pure envy.” The refugees, she wrote, “are a nicer and more refined people” than most Texans, “and they see and resent the difference.” Even after spending several months in Tyler, Kate reported in March 1864, that “we have refugee visitors but the natives . . . still hold aloof.” Although later in the war the Stones became friends with some of the natives of Tyler, their Texas hosts never completely accepted them.⁶

Just as Texans accused some refugees of disloyalty for economic reasons—their contribution to the war effort seemed to take a poor second to preserving as much of their property and wealth as possible—they did not hesitate to accuse nonrefugees of committing economic treason. The Austin secessionist and Episcopal bishop, Alexander Gregg, assailed “The Sin of Extortion” in a sermon delivered in the capital city in March 1863. The war had brought great hardships, challenges, and opportunities to southerners, the bishop declared, and many citizens had risen to the occasion to perform their patriotic duties. Unfortunately, “the spirit of *Mammon*” in the form of speculation had reared its ugly head. This was “a development more dangerous to our peace, and more hostile to our welfare, than foes of flesh and blood.” A holy war must not be polluted by pedestrian avarice, and Gregg warned his listeners against the “insidiousness of the evil, the temptations to its indulgence,” and “its radically demoralizing tendencies.”⁸

Some Texans took Gregg’s exhortations to heart. “JWH” of Austin wrote a letter to a Houston newspaper, calling on the “men of Austin, [to] arise!!!” He demanded that they “mark forever with a brand of infamy” those extortionists, “who no longer crawl like the slimy reptiles that they are, but boldly stalk through your streets, grinding at every step with their iron heels, deeper and deeper down, the poor man, the widow and the orphan.” The Texas legislature responded rather mildly by passing “an act to punish speculations in certain cases,” on January 13, 1862. The law set a punishment of from two to five years in prison for buying provisions—after falsely representing oneself as a representative of the army, state, or Confederate states—“with an intent to make a profit upon such purchase.” Later attempts to toughen the law failed to pass, as the states’ rights and antiregulatory bent of southerners joined with the desire to avoid restricting business development to inhibit other state legislatures as well as the Confederate Congress.⁹

All sorts of activities came under the definition of economic disloyalty in Texas, including charging high prices for the necessities that became more and more scarce as the war dragged on, refusing to accept inflated Confederate currency, speculating in the booming cotton market in

Matamoros or other neutral Mexican border towns, and trading with the enemy. As early as November 1861, the *San Antonio Weekly Herald* alerted its readers to the “treason” practiced by many San Antonio merchants of refusing to exchange gold and silver for Confederate Treasury Notes. A Confederate soldier stationed in the city in May 1862, wrote in his diary that San Antonio, which had been heavily Unionist before the war, was “a town noted for extravagant prices and extortion.” Merchants “will not change a Confederate note unless the soldier takes one half in goods at 3 times their price. . . . Don’t think there are many good honest Southern people in Town.” The prices of salt and flour doubled after a few Houston merchants cornered the market late in 1861. The next year the *New Braunfels Zeitung* offered to publish a blacklist of persons who refused to accept Confederate money. In 1863 the citizens of Lamar County petitioned the state legislature to stop interest on loans when lenders rejected payments in Confederate money. The San Antonio Military Commission shared this dim view of such goings-on when it sentenced Frederick Lochthe of Fredericksburg to thirty-five days in prison and fined him \$100 for refusing to accept Confederate paper for a \$20 debt. Some Texans tried to take advantage of the public’s disgust at economic opportunism; the commissioners dismissed charges against William McLane, who had accepted paper money in payment for interest accrued on \$8,000 in loans issued before the war, but refused to take paper as payment against the principal. Apparently the court decided McLane’s accusers were themselves guilty of a form of economic disloyalty by trying to take advantage of the war to pay off their peacetime debts in depreciated currency.¹⁰

Vigilance committees and public meetings clearly defined fiscal dissent as treason. In an April 1862 drive against depreciators of Confederate currency, the San Antonio Committee of Public Safety cracked down on “every little sharper, to whom a dollar is more important than national independence, every croaker, who has no faith in the success of our cause—and every Lincoln sympathizer.” Their names, occupations, and addresses would be published in order to expose them to “the sudden, summary and condign punishment to be inflicted upon them by an aggrieved and outraged people.” The provost marshal of Dallas County condemned the high prices charged the families of Confederate soldiers by those who “would extort from the government, army and people.” He took advantage of that spring’s statewide martial law decree to fix reasonable prices for necessities. An 1863 public meeting in Harrison County planned to publish a list of local violators of economic loyalty, so that each of them might be identified “as a traitor to his country, that his infamy may be remembered and its consequences visited on him through all coming time.” Finally, an 1863 public meeting in Travis County—perhaps influ-

enced by Bishop Gregg's recent denunciation of extortion—passed resolutions supporting the currency and deprecating speculation. Any person who refused “to conform to the foregoing resolutions, is hereby declared an enemy to the country and [will be] treated accordingly.”¹¹

Grayson County women protested economic hardship in dramatic fashion during the winter of 1864. A mob of 125 armed women descended on the Confederate commissary in Sherman to collect the meat, coffee, tea, and other provisions meant for the use of soldiers' families that they believed officers had been selling illegally. They found no provisions, but promptly began looting local stores. Legend has it that William C. Quantrill, the notorious Missouri guerrilla then wintering in North Texas, stalked into the midst of the women, reminded them of the hardships endured by the uncomplaining soldiers at the front, and said, “What would your husbands think of you if they could see you?” The mob quieted, repaired the doors they had broken down, and went home. A year later the Second Texas Infantry dispersed a mob of citizens and soldiers who had marched on the home of the Confederate commander at Galveston, demanding a share of the provisions stored in the city. One rioting soldier died accidentally in the volley fired over the heads of the mob.¹²

Trading with the enemy and speculation posed the most serious violations of economic allegiance to the Confederacy. Reports of speculators began coming into the governor's office as early as May 1861, when citizens of Fannin County petitioned Edward Clark to halt cattle drives from Texas “to any of the Northern Markets,” where they would be slaughtered “to feed our ‘Black Republican’ enemies.” San Antonio businessmen had arrived in Grayson County by October of that year and were “strongly suspected here of abetting Lincoln” by purchasing flour and sending it out of Texas. Two months later, when New Orleans speculators flocked to the state to buy up every commodity that cash-poor Texans could sell them, one Houston resident asked Governor Lubbock to stop this “set of sharp speculators” from draining the state of provisions. “What good will bushels of gold do us,” he asked, “if we are without food. . . . We must be protected or these Shylocks will Starve us.” It is not surprising, given the religious prejudices of nineteenth-century America, that Texans often accused Jews of disloyal opportunism. R.H. Williams made a typical remark when he wrote, “How wonderfully keen is the Hebrew's scent of a profit!” Williams reported that many Jews had appeared in West Texas, selling provisions to frontier soldiers at “exorbitant” prices; “as the buzzards wind carrion, so they scented the corruption which was so rife in the state, and saw their profit in it.” The *Houston Telegraph*, on the other hand, offered a back-handed compliment to Jewish merchants when it documented “the fashion of our contemporaries to charge all the extortion

of the country upon the Jews"; they were no "more extortionate than the Christians."¹³

Too often, at least for the taste of loyal Confederates, speculation led to trading with the enemy, which the Texas and Confederate governments seemed utterly unable to prevent.¹⁴ The *Brownsville Flag* announced in mid-1863 that "the town is crowded with merchants and traders from all parts of the world, and the side-walks are blocked up with goods." Men from New York and Boston stalked Brownsville streets, gathering up cotton in return for "all manner of explosive and destructive things." Yankee traders eagerly bought all the cotton they could get in Mexican markets, aided by Mexican merchants who acted as intermediaries between them and Texas cotton speculators. Texans whose financial opportunism outweighed their loyalty to the South made many fortunes along the Rio Grande. The Englishman Thomas W. House of Houston, a well-known dry goods merchant, banker, and cotton factor since 1838, continued shipping cotton to Liverpool after the war started. He avoided Confederate currency and built up his gold reserves in English banks. Another Houston merchant, William Marsh Rice, greatly expanded his considerable fortune by trading cotton through Matamoros.¹⁵

Even so committed a Unionist as George W. Brackenridge, a close friend of A. J. Hamilton, earned the hatred of Confederate Texans more for his dealings in cotton during the war than for his unpopular political leanings. With his several brothers serving in the Confederate army, George stayed home, running a lucrative cotton trading operation with Charles Stillman, a merchant and shipper whose ties with New York City merchants proved unvaluable. During the war's first year, most of George's neighbors and acquaintances cared little about his speculative projects. By late spring of 1862, however, after several months of Confederate defeats, such questionable dealings—especially by a young man whose duty, according to loyal Texans, lay in the army—came under closer public scrutiny. The fact that George and his partners demanded gold payments rather than Confederate paper also damaged their reputations. Many years after the war, Brackenridge recalled the transition in public opinion toward him. Early in the conflict, while the Confederates were winning, "the home folks hurrahed me about being a Yankee." After the Confederate armies lost a few battles, however, "people who had been my friends passed me without speaking. Then I could hear them talking about me when I passed." He fled Texas for Mexico in the summer of 1863 after a gang of Confederates threatened to hang him. He spent the rest of the war as a federal treasury agent in New Orleans and with the federal invasion force in Brownsville.¹⁶

John Warren Hunter, a Hopkins County teenager when the war

began, remembered “a never ending stream of cotton” that “poured into Brownsville,” from late 1861 until the end of the war. Hunter vowed never to serve the Confederacy after local vigilantes murdered one of his friends. In order to reach a Mexican haven from Confederate military service, he drove one of the oxen-drawn wagons that “wended their weary way to the commercial mecca of the Southwest” from all over Texas, Arkansas, and Louisiana. Each year, during the spring, summer, and fall, thousands of wagons laden with cotton converged at the King Ranch 125 miles north of Brownsville. “This long stretch,” Hunter later wrote, “became a broad thoroughfare along which continuously moved two vast unending trains of wagons; the one outward bound with cotton, the other homeward bound with merchandise and army supplies.” Hunter was hardly the only driver whose choice of occupation had little to do with affection for the slow-moving trains of oxen, as even “school teachers, college professors, [and] society dudes” joined the wagon trains for the junket to the border, over which they could easily escape conscription. Not surprisingly, few drivers signed on for the return trip north.¹⁷

As Hunter’s reminiscences indicate, speculators sometimes benefited from the disloyalty of men who had no stomach for army service. The same sort of apathy toward the Confederate war effort that led men to commit acts of economic disloyalty often caused them to desert from the army or to evade the draft. Of course, as the war became harder, bloodier, and more hopeless, and as military service lost its charm for the men who had eagerly volunteered in 1861, the problems of desertion and conscript evasion worsened. Many Texas soldiers no doubt shared the disappointment of the Louisiana private who wrote in September 1861, “how I wish this war was over, there ain’t a bit of fun in it.” At least 4,664 Texans deserted from the Confederate army.¹⁸

A letter to the *Houston Tri-Weekly Telegraph* late in 1862 outlined the causes of dissatisfaction among Texas soldiers. The Second Texas Infantry had not been paid in months, according to the author, although the officers had received their wages. “When we ask why the privates are not paid, all the satisfaction we get is, ‘No money for the soldiers yet.’ Yes, the poor soldier, who finds himself far away from home and friends, who risks his life for his country, is neglected, he falls sick, is sent to the hospital with not a dime in his pocket to buy any of the luxuries that a sick man requires. Vegetables are paraded before him, No money he says, and turns over and suffers. Week after week he lingers, and then fills an unmarked grave.” Pvt. H.C. Medford blamed the “fraud and perfidy practiced upon the private soldier by the functionaries of the government” for the soldiers’ discontent. He also exclaimed—to his diary—that most officers were “damnable pop squirts and coxcombs” whose treatment of their men

would soon “demoralize and ruin our army.” William Zuber, an enthusiastic forty-two-year-old volunteer in the spring of 1862, found his ardor dampened when he realized that even after his three-year enlistment expired, the conscription act would require him to remain in the service. “I began to fear,” he wrote years later, “that . . . I was being used as a permanent *slave* and would never again be permitted to enjoy the society of my family or to provide for them.” Theophilus Perry, a soldier from Harrison County, directed his anger toward the rear, where poor morale and profiteers undercut the army’s efforts. He declared in a letter to his wife, “every little editor and stump speaker ought to be put under a musket and a rucksack.”¹⁹

Hundreds of miles to the east, in Tennessee, an officer in Granbury’s Texas Brigade bitterly condemned Gen. John B. Hood after the battle of Franklin with words no doubt echoed by many deserters from the Army of the Tennessee. “The wails and cries of widows and orphans made at Franklin . . . will heat up the fires of the bottomless pit to burn the soul of Gen J B Hood for Murdering their husbands and fathers at that place that day,” he wrote. “Gen. Hood has betrayed us. . . . This is not the kind of fighting he promised us . . . when he started into Tennessee.” Other Texans preferred not to fight outside their home state. Men deserted by the dozens when Texas state units marched into Louisiana late in 1863, forcing camp guards and provost marshalls to constantly patrol the camp perimeters. One Texas soldier who stayed wrote his family that “absolute demoralization” had set in.²⁰

The demoralization reached far behind the front lines. By the summer of 1863, Col. John S. Ford reported that in the counties north of Austin “bodies of men are assembling, armed and equipped, to resist the enrolling officers.” Deserters and conscript evaders from the southern counties had been “increasing daily the strength” of these “squads,” which, “if unnoticed, will eventually become formidable.” Three months later, Brig. Gen. H.E. McCulloch, commanding the northern subdistrict of Texas, estimated that at least one thousand deserters hid “in the woods, ready to take to the brush” in North Texas. One group of at least two hundred men guarded every road leading to their camps so closely “that not a man, woman, or child goes near them” undetected. The men “have sympathizers all through their country, and, if they can’t be induced to come out peaceably, we will have trouble and bloodshed enough in this section to make our very hearts sick.”²¹

The situation could only get worse, and it did. By February, McCulloch had to write that “there are deserters in nearly every county” in his district who were aided by “sympathizers who give them information and feed them on the sly or let them steal from them.” The deserters had

organized into bands of up to thirty men, and moved their camps every two or three days to avoid capture. "If the true men of this country would swear what they know," McCulloch claimed, "I could send several hundred men to the penitentiary for treason." To make McCulloch's task of retrieving deserters even more difficult, the state and federal enrolling officers, "as well as the most of the people, exhibit . . . more ignorance and knavery than any other people in the world." McCulloch also complained to Kirby Smith, the trans-Mississippi commander. "Circumstances go far to satisfy me . . . that disloyalty is widespread," he wrote, "that my brush men are deep in it, and the troops not entirely free from it." McCulloch reiterated his fear "that some good troops must be sent here or this section of country goes up." Only three months before, McCulloch had won a small victory when he persuaded over six hundred deserters and absentees to come out of the brush in exchange for a fifteen-day furlough and permission to serve in frontier regiments. The beleaguered McCulloch claimed that if he had refused the latter condition, it would have "involved us in a domestic war."²²

South Texas, where many of the state troops were stationed, also suffered from widespread desertion and conscript evasion, especially late in the war. Charles Lovenskold of Corpus Christi wrote Gen. J.E. Slaughter in Brownsville in November 1864, that conscription laws went unenforced in Goliad, Bee, Karnes, Refugio, San Patricio, Live Oak, McMullen, and Nueces counties. He counted three hundred "able-bodied" men lounging about, and at least two hundred absentees and deserters. "The Civil Law and authorities afford no protection to persons and property," Lovenskold reported. Robbers and thieves went unpunished, and "disloyalty and incipient if not open treason seem to be unproved, if not protected, in many instances."²³

The unwilling Rebels who abounded in Texas used a large assortment of techniques to escape military service. Some stayed off the line by securing exemptions from friendly physicians. Others managed to avoid the draft by claiming to join a regiment organizing some distance away from their home towns. When the state filled its quota and the new regiments marched away, the less loyal men returned to safety behind the lines. Some scrambled to find government jobs or other positions that exempted them from conscription. Other ways of avoiding duty included bribery, securing long furloughs immediately upon entering the army, and getting detailed for necessary duties back home. Job descriptions in newspapers for necessary industries—such as saltpeter and niter works—took pains to point out that men employed at those places would be exempt from active military duty. A Confederate soldier from Grimes County reported that, by the end of the war, "most of our people would sign any

petition presented to them" for detailing men to public works, "whether such work were needed or not, and whether the men . . . were capable of performing it or not." Even slaves could tell when their masters were shirking. Lizzie Jones's master went to the war, "but he came home sho'tly, an' say he wuz sick wid the [con]sumption, but he got well real quick after surrender."²⁴

One of the most notorious methods of avoiding Confederate service was to join a home guard or frontier defense unit, whose Indian patrol and deserter-chasing duties exposed men to fewer hazards than the combat they were more likely to see in the regular army. The frontier regiments went through several incarnations during the war, but were basically designed to allow men living on the frontier to protect their families from marauding Indians and to maintain a buffer zone for more settled areas of the state. Only men in counties designated by the governor could join these militia units. However, some home guard regiments harbored deserters from units sent east of the Mississippi, and the status of home guardsmen became a major source of friction between the civil and military authorities in Texas by 1864.²⁵

The state troops were attacked from all sides. Major General Magruder protested to Governor Murrah that the army, "already much demoralized by desertions and the insidious efforts of demagogues and traitors," looked "with jealousy and discontent upon the favored class of conscripts, who have thus far been permitted to remain in the State Troops." In Pendleton Murrah's message to the legislature in May 1864, he noted that many of the men in the frontier regiments were not "bona fide" residents of the counties in which the units were recruited. All of these men, he declared, "should be expelled from the organization and placed in service under Confederate authority," tried, and "when found guilty of conspiracy and treason," punished. The families of men in the Confederate service, not surprisingly, resented the presence of so many home guard companies in the state. As early as June 1861, Charles Besser's wife complained of the "misfortune" that so many of the companies forming near their home in Enterprise were "Home Companies." She wanted more of those men "to be like someboddy—not show thierr cowardice so plane." The sister of a Confederate soldier captured at Vicksburg scorned home guardsmen as "feather beds."²⁶

Despite the magnitude of the problem, Col. John S. Ford, Superintendent of Conscripts for Texas, issued a broadside in July 1862, declaring that "the man who opposes, in any way, the execution of the Conscript Act, has no claim to be a patriot." Most Confederate civil authorities, military men, and ardent editors agreed, and urged harsh punishments for desertion and conscript evasion. The *San Antonio Herald* applauded the

conscription act, because "it is not right that the most patriotic of our citizens should alone fight our battles." With conscription, "the hardships and dangers of the war will fall alike upon all classes, including speculators, croakers and resident foreigners." The *Brownsville Fort Brown Flag* urged all government agencies to follow the lead of the General Land Office by replacing all conscriptable young men with old men, and declared that "if the young men will not go to war then, they ought to be precluded from ever holding office afterwards." The Bexar County Court punished deserters by rejecting their families' applications for county relief, while the state senate passed a bill that would have prevented deserters from voting. The *Texas Republican* went several steps further by suggesting that the legislature should not allow deserters to own property or to marry in Texas. Governor Murrah agreed with many of these suggestions. In a message to the legislature late in 1863, the governor said that deserters and those participating in "the harboring, concealing, and screening [of] men guilty of outrages against their country" must be forced to learn "that the way of the transgressor is hard."²⁷

Deserters could learn that lesson only if they were found, and newspapers frequently published the names and descriptions of men absent without leave—and sometimes of the horses and equipment they carried off with them—while the army offered rewards ranging from thirty to sixty dollars for the "delivery" of wayward soldiers. The *Texas Republican* indulged in wishful thinking when it declared in 1863 that merely printing the names of deserters would help stem the problem. "Who can bear to contemplate the overwhelming grief and sorrow that will be experienced by those, true to our cause, who recognize in this list the name of a relative, neighbor, or friend?" Public outcry apparently did little to encourage deserters to rejoin their regiments, and most deserters went unpunished.²⁸

At least one Texas Confederate officer shared the civilians' severe attitude toward deserters. Capt. Elijah Petty wrote of deserters from Walker's Texas Division, "I hope the scoundrels will be caught and shot. I dont want our Southern society disfigured with the slime of deserters or traitors." When four men received death sentences for desertion while the division campaigned in Arkansas in the late winter of 1863, Petty wrote to his wife, "I am hard hearted enough to want to see a military execution." He got his wish, and he faithfully described the death scene to his wife, calling it "a melancholy and tragic end for them." He refused to extend any sympathy to the dead men, however; "it is the just doom of the deserter," he wrote. "I had rather see a hundred killed in battle than these poor devils here." Two days later he again wrote, "I saw them shot down as stoically as I

would a hog," because "they had abandoned or forfeited all claim to life or respect."²⁹

As the war dragged on, it became increasingly difficult to entice men into the service. One recruiter near Hempstead found "a reaction among the people, and but few were disposed to enlist." Men willing to join up for the duration of the war "could scarcely be obtained on any terms, and feeling disgusted with the apathy of the people, I gave up the business and returned home." Even those men who ended up in the army found military as well as public opinion turned against them. An officer in the Second Texas Infantry complained that the group of remarkably sickly replacements that he was accompanying to Mississippi consisted of "the most pitiful shirks and invalids" who were "so mean that they say they dont want to fight." He insisted that "their pitiful, mean, disloyal spirit is more contemptible than their diseases are disabling." The commander of the Second Texas declared that he would rather accept a demotion to major and turn his depleted regiment into a battalion rather than "command men who have been passed by law into the ranks—no give me the brave men who made a free offering of their services to their country." William Zuber believed that the presence of conscripts actually harmed a regiment, for such men "were dissatisfied murmurers, whose clamor weakened the patriotism of others, engendered a mutinous spirit, and dampened zeal."³⁰

Few deserters recorded their reasons for committing what many southerners labeled treason. But some would no doubt have concurred with the sentiments expressed in "The Confederacy," a poem written in 1864 by a Lavaca County deserter. The novice poet was "tired of Confederacy / Confound her I may say!" He complained of losing his property, of receiving no pay for his service, and of having no "chance to save my life" except "to run away." The former volunteer revealed perhaps the most important motivation in his third verse, "It will not do," he wrote, "To save the country yet / Tried our best until of late / Too many Yankees met." The "revolution is nearly past," he admitted; the "Yankees got the most and best." J.A. Cain, a veteran subject to the draft, tried to procure a substitute to take his place. The man he employed however, "will not Swear to more than 36 years old." Cain decided to rejoin the army, but bitterly wrote, "I have done my part in this war, and mine is a hard case, but such is the Law! I feel more like backsliding and giving up everything than ever before in my life."³¹

Like the young poet-soldier, most deserters merely wanted to get out of the war alive. An English traveler overheard a drunken "Texas . . . *renegado*" when he "gave up his sentiments" at the English consulate in

Matamoros. The man finished a glass of brandy with the toast “‘them as wants to fight, let ’em fight—I don’t.’” John Hancock found out that even those men who left Texas and traveled all the way to New Orleans usually had no plans for serving the United States. “The fact is,” he wrote in his diary, “these men, have no fixed notions on the subject, had about as soon serve one side as the other, but if left to their own inclination would serve neither.” They “have merely grown tired [*sic*] of the Rebel service and pay & left it.”³²

Other disaffected Texans often joined with bands of deserters to resist attempts by the Confederate government to force them into the military. Few of the members of these bands sought to defend exalted notions of United States citizenship or constitutional scruples against secession; they were usually guided by what they believed was best for themselves or their families. As early as March 1862, just before the first conscription act was passed, Unionists and conscription evaders organized to protect themselves in Fayette County. James Sweet of Burnet forwarded to Governor Lubbock copies of letters from a set of cousins to a young man named Ferguson. Apparently the Ferguson living in Burnet planned to move to Missouri to avoid the draft. His brother, R.J. Ferguson, urged him to come instead to Fayette County, where the Union men and other draft evaders “have the power and . . . are going to use it.” R.J. asked his brother to bring with him all the powder and lead he could get his hands on. The Fayette County cousin, N.B. Ferguson, invited his cousin to “come down and cast your lot with us. We are as civil as reprobates.” He also asked him to bring a six-shooter “or a half dozen.” Apparently N.B. believed that he and his comrades controlled the county, for he wrote, “I was in hopes that we would have a little fun but they wont buck us.” He added a postscript: “Uncle Tom says come Bob says come and I say Come so do so.” The Fergusons’ confidence was misplaced, as the Burnet County brother wound up in the army and his Fayette County cousins soon found themselves in jail.³³

As in disaffected areas throughout the Confederacy, bands of deserters, draft dodgers, and others often preyed upon Texas civilians, Unionists and secessionists alike. In October 1863, the *State Gazette* warned Austinites against going outside the city limits unarmed, “as there are jay-hawkers all around us, hiding in the mountains, who have been frequently seen close by.” One former slave remembered years later that parents warned their children not to wander into the nearby woods near Jasper alone. “Dey was deserters hidin’ in de woods, an’ I ’spose dey thought de chillen would tell on ’em. So dey ketch dem an’ whip dem an’ scare dem an’ sen’ dem home so dey wouldn’ come back no mo!” On the frontier northwest of Austin, loyal men and “Tories” exchanged atrocities; the latter

tried to deflect the blame for at least one of their killings by riddling their victim with arrows. Many other counties in the state could report similar congregations of disaffected persons. A Unionist refugee ventured into Lavaca County from Mexico in 1864, only to be captured by Confederate authorities. He escaped into a network of friends and relatives of deserters hiding in a thicket on the Lavaca River. At least thirty of "the hardest looking set of men" the Unionist had ever seen were led by an honorably discharged veteran who had been wounded at Shiloh and later deserted from his home guard company when the unit was called up for active duty. Another gang of outlaws and deserters gathered in northern Bell County under the leadership of a deserter named Lige Bivens. They found refuge in a well-hidden cave in a cedar brake called "Camp Safety" by locals during and after the war, from which they mounted expeditions against soldiers' helpless families. Just before the war ended in Texas, a score of mounted deserters appeared at the funeral of a New Braunfels youth shot and killed by Confederate soldiers.³⁴

One disaffected Texan exhibited his opportunism outside Texas. Martin D. Hart had practiced law, promoted railroads, and served as a state senator from North Texas before the war. He opposed secession and had signed the Unionists' "Address to the People of Texas." But when the war began he donned a Confederate captain's uniform and raised his own company. He led his command toward Arkansas, where he allegedly planned to campaign as a Rebel partisan. His recent conversion to the Confederacy apparently lacked sincerity, however, and in the fall of 1862 he switched sides and accepted a Union army commission. After a flurry of recruiting, he and the mixed bag of Unionists, deserters, and outlaws who had joined him campaigned as the "First Texas Cavalry."³⁵

Although at first Hart had apparently acted out of sympathy for the Union cause, his war quickly deteriorated into the pattern set by so many other partisan units and guerrilla fighters. Hart's small band of irregulars occasionally attacked legitimate military targets, but they increasingly turned to plundering Arkansas farms and plantations and murdering men who got in their way. Hart made enemies among Yankees and Rebels alike, but the Confederates caught up with him first in January 1863. The *Marshall Texas Republican* applauded the capture of "the notorious Texas traitor," who even before his foray into crime had been "a unionist of the stripe" that venture[s] to the very borders of open treason." Hart had crossed that border, of course, and the *Republican* assured its readers that he and his men "have fallen into hands that will make short work of them." A court martial convicted Hart and his first lieutenant of murder and hanged them early in February. Shortly after, Hart's former colleagues in the Texas legislature passed a resolution congratulating the officer in

charge of the expedition for "capturing and hanging the traitor and scoundrel Martin D. Hart and his followers."³⁶

A few men went far beyond these attempts at self-defense or plunder. Perhaps the most notorious disaffected Texan was Cullen Montgomery Baker. Baker grew up on the banks of the Sulphur River in far northeastern Texas, near the Arkansas state line. By 1861, Baker had already murdered three men, including a witness instrumental in convicting Baker of horse-whipping a young boy. He deserted soon after being drafted into the Confederate service, and spent his war hiding out in the Sulphur River swamps, robbing and murdering black and white residents of Texas and Arkansas. In 1864, pursued by Confederate authorities, Baker joined a "partisan" outfit in Perry County, Arkansas, which terrorized the region and caused many residents to migrate. When the war ended, Baker, still untouched by Confederate authorities, returned to Texas.³⁷

The surrender of the Confederate armies changed nothing for Cullen Baker; his wartime lawlessness and violence continued. He soon gained a reputation for fighting and often killing federal occupation troops, unruly freedmen, and scalawags. Among his victims were two freedmen's bureau agents and a United States tax assessor, whose deaths prompted the *New York Tribune* to report "The New Rebellion" in Texas. The governors of Texas and Arkansas placed rewards on his head, and federal troops scoured both states for him and his gang. His father-in-law finally ended Baker's violent life by poisoning him in 1869; he died with a personal body count of twenty-seven men.³⁸

Despite his years of criminal activity, some residents of the region terrorized by Baker remembered him rather fondly. Baker, they recalled for T. U. Taylor, would often storm into Texas and Arkansas stores, take clothes and provisions, and shout "Charge it to the Confederacy" over his shoulder on the way out. More important, Baker won at least limited approval for his deeds in his self-appointed role as a local "regulator." This amounted to terrorizing "impudent and shiftless" freedmen to make sure they worked hard enough and left white women alone. Years later several former slaves could still conjure up the terror Cullen Baker inspired. "I would run my las' limit if I heard he wuz in the neighborhood," Ransom Rosborough—a child during Reconstruction—remembered. According to Alex Humphrey, Baker "killed Niggers like they was dogs, and if you want to put my people on the run just say 'Cullen Baker was seen in a neighboring community last night.' They'd hide out for two days." He also specialized in protecting the "helpless" South from unscrupulous carpet-baggers and United States troops and in disciplining local scalawags, "the most contemptible creature that ever walked the earth." On one of his regulatory missions he killed two black men who had asked permission to

escort two white girls home. On another he shot and killed a white farmer who shared his house with two daughters and two black employees. Federal troops became favorite targets after a squad broke into his house and stole some of the jewels from a shrine Baker had built to his deceased second wife. At other times he played the part of a local Robin Hood by distributing the contents of captured federal supply trains to his neighbors.³⁹

Despite his somewhat improved reputation during Reconstruction, the Civil War had not changed Cullen Baker into a man fighting for the public good; it had merely widened the scope of his crimes. His Civil War career fit perfectly into the pattern of his life, for Cullen Baker never did anything he did not want to do. His desertion from the Confederate army was not a public display of principle, but a successful attempt to escape any sort of duty that did not lie strictly within his own self-interest. The informal, violent, potentially lucrative life of a "Confederate" partisan suited him much better, as Baker swore allegiance to neither a government nor an idea. His sociopathic protection of his own interests challenged a South struggling to form a nation; even his racial vigilantism during Reconstruction was less an acceptance of the values of the larger southern society than the logical culmination of his violent life.

Not surprisingly, the largest number of lawless deserters and hangers-on centered in North Texas, many miles west of Cullen Baker's stomping grounds. Late in 1864, residents of Collin County petitioned Governor Murrah to provide a regiment of troops to preserve order in the county, in order to avoid a repetition of "the history of last Spring," when "Lawless men prowled over our farms & Prairies and held our country terror-stricken." James W. Throckmorton, himself a resident of Collin County, recommended retaining the frontier defense force in the area. It had already gone a long way toward "purging that section of deserters & dodgers & traitors." If the regiment disbanded, "the frontier would soon be overrun with this class of persons," the "settlements also would recede, and a new line of counties would be the outside."⁴⁰

The most ambitious crackdown against disaffected elements took place in the North Texas town of Gainesville against a secret organization whose members generally understood that they were banding together merely to resist the draft. A few of their leaders, it appears, and most loyal Confederates, however, believed the "clan" to be engaged in "wicked and abominable designs" against the Confederacy and against the peaceful and loyal citizens of Cooke County, designs that combined Unionism with more self-interested forms of disloyalty. The *Texas Republican* reported that the organization had three progressively treasonous levels of membership: initiates in the first "degree" pledged themselves to secrecy and

to "avenge a brother member's blood," while the second degree was committed to "robbing, jayhawking, &c.," and the third "contemplated the re-establishment of the old Union." The official chronicler of the episode in Gainesville claimed that this Union club actually planned to wrench North Texas out of the Confederacy and to reenter the United States. Help would come from their Union army allies in Kansas and from "every hostile tribe of Indians then in arms against the South, and especially against Texas." The Unionists "openly denounced the Government, and vowed organized resistance to the Conscript Law"; they refused to work for "southern men," and "became a terror to their southern neighbors . . . while their conduct evinced a spirit of hate and revenge too intolerable to be borne." They allegedly had gone so far as to plan the murders of all loyal southerners, including women and children—except for young marriageable girls—and the division of their property.⁴¹

This "strange affair" resulted in the lynching of at least forty-four men in October 1862. When a drunken member of the club—called by many a "peace plot," although it was apparently unrelated to other "peace associations" around the South—boasted about the existence of the group to a loyal Confederate, the latter notified local authorities, who on October 1, slogged through a downpour to arrest between sixty and seventy known members. Militia units from surrounding counties and elements of several Confederate regiments hurried to Gainesville, and soon a mob of several hundred armed men gathered outside the courthouse. After an informal "town meeting" had selected a jury, the "trial" began on October 2. Over the course of the next two weeks, the citizens' tribunal executed thirty men—the murder from ambush of a leading secessionist revived a badly lagging spirit of vengeance about half-way through the proceedings—and another fourteen died at the hands of the angry mob. A few others were murdered without benefit of trial, and three members who belonged to military companies were later court-martialed and hanged.⁴²

Similar episodes took place elsewhere in Texas. James W. Throckmorton prevented an orgy of lynching in Grayson County by persuading a mass meeting to turn their prisoners over to military authorities. A Collin County legend—unconfirmed in official documents or newspapers—tells about the capture and hanging from a cottonwood tree on the town square of forty-two "bushwhackers" and conscription evaders in 1864. Col. John S. Ford called such incidents "deplorable affairs . . . accounted for as a result of the passions engendered by an unfortunate Civil War." In North Texas, those passions were fueled by conflict between nonslaveholding Unionists and slaveholding secessionists—who were usually the most powerful men in the region. With the memory of the slave "insurrection" of 1860 fresh in their minds, and wary because of their very real exposure to Indian raids

and their perceived vulnerability to Yankee invasion, vigilant North Texans leaped to defend home and family from an organization made up of men whose disaffection and disloyalty to the Confederacy stemmed primarily from their desire to have no part in the war.⁴³

Maj. Gen. John B. Magruder, commanding the District of Texas, indicated the extent of disloyalty in Texas when late in 1863 he wrote his superior, Lt. Gen. E. Kirby Smith, that "my difficulties here would be as nothing, if the troops could be made to stay in the ranks and the people true to themselves." Magruder felt himself "surrounded . . . by traitors, [and] harassed by deserters and mutineers." Many of the "traitors" about which the general complained were merely pragmatists looking out for their own interests. A few, like Cullen Baker, relished the chaos spawned by the war; some enjoyed unprecedented prosperity because of shrewd, if unethical, business practices; most merely wanted to be left out of the war altogether. Edward T. Austin spoke for many when he wrote E.M. Pease after the war, "I opposed secession until the act was consummated." After that, however, "opposition . . . would have been treated as treason to the State; and I have too large a family to make myself a political martyr." During the war, Austin "attended to my own business and left war and politics to others." With such sentiments no doubt widespread, it is hardly surprising that Magruder seemed to see traitors all about him. Unattached in any meaningful way to the southern economy or, to a greater degree, society—or at least unwilling to risk much to sustain either—and often lacking an ideological justification for their actions this sizeable minority was often deemed by Confederates to be the greatest internal threat facing the South. Although this perception was, of course, exaggerated, by April 1865, it was painfully clear that many Texans could muster no tears when the southern cause was finally lost.⁴⁴

Ethnic Texans and the War

At the end of his famous account of a "saddle-trip" through Texas in 1856, Frederick Law Olmsted summarized the "Regional Characteristics" of Texas and the prospects for settlement in West Texas. Geography and Indians would inhibit the expansion of cotton agriculture and of slavery, but perhaps more important, according to Olmsted, was the "incongruous foreign element of Mexicans and Germans" on the frontier, which would "hinder any rapid and extensive settlement of Western Texas by planters." The Yankee tourist explained that neither of these ethnic groups participated in the slave economy. The Germans opposed slavery and often competed as craftsmen and laborers against slave labor, while few tejanos could afford slaves and many treated blacks as equals. "The manners and ideals of the Texans and of the Germans are hopelessly divergent," Olmsted posited, "and the two races have made little acquaintance, observing one another apart with unfeigned curiosity, often tempered with mutual contempt." Germans enjoyed little of the political power their numbers and abilities warranted, and often "remained apart . . . content[ing] themselves with the novel opportunity of managing, after republican forms, their own little public affairs." They rarely participated in politics beyond voting, but would occasionally "move together against slaveowners as their natural enemies." A Texas planter was "by no means satisfied to find himself in the neighborhood of the German. He is not only by education uncongenial, as well as suspicious of danger to his property . . . but finds . . . a direct competition of interests" with the Germans.¹

Even worse was the relationship between Anglos and the Mexican-Americans living in Texas. "The mingled Puritanism and brigandism" that Olmsted believed "distinguishes the vulgar mind of the South, peculiarly unfits it to harmoniously associate with the bigoted, childish, and passionate Mexicans." Long decades of conflict with whites caused the latter to "fear and hate the ascendant race" and to "associate and sympathize with the negroes." Planters commonly believed that escaping slaves found ready allies in tejanos, and as slavery extended into new areas, "the whole

native population of county after county has been driven, by the formal proceedings of substantial planters, from its homes, and forbidden, on pain of no less punishment than instant death, to return to the vicinity of the plantation.”²

As Olmsted understood, the condition of the slaves and the conflicts between the dominant white culture and the Mexicans and Germans doomed the state’s three largest non-Anglo ethnic groups to share an uneasy and often dangerous status during the antebellum period. The very nature of the blacks’ participation in the slave economy forced them into an adversary relationship with southern planters, as the 1860 “insurrection” had so recently shown. Germans and Mexicans found themselves allied with blacks—at least in the minds of Anglos—because of their frequently unhappy economic and political conflicts with other Texans, as well as their well-known opposition or indifference to slavery. History and race—especially for blacks and Hispanics—inevitably led to conflict between Anglo Confederates and the other ethnic groups in Texas. Their roles as dissenters were created when many of them chose to change their traditional relationships with Anglos and, perhaps, their places in the larger society around them. Although Confederates in Texas readily acknowledged that these “outsiders” had little interest in the outcome of the war for southern independence, they nevertheless measured the loyalty of Germans and Hispanics by the same standards used to judge native-born, slave-holding Texans. In addition, despite the fears that blacks aroused in whites, masters counted on the steadfast allegiance of their bondsmen and the continuation of the traditional relationship between the races. Since Confederates in Texas warred less against invading Yankees than against values, ideals, and interests that threatened the besieged slave society of the South, the issue of loyalty among blacks, Hispanics, and Germans loomed large behind the lines in Texas.

Texas slaves shared their masters’ civil war. Blacks found themselves thrown along with their white “families” into the anxiety, the hardships, and sometimes the danger spawned by the war. Long after the fighting ended, James Hayes showed how intimately the crisis intertwined the experiences of slaves and whites when he told a Work Projects Administration (WPA) interviewer of his obvious affection for the “women folks” on his plantation and of his concern for them after his master and his master’s son marched off to the army. James usually picked up the mail in nearby Marshall, and whenever he returned from town, “dey run to meet me, anxious like, to open de letter, and was skeert to do it.” One day the faithful slave “fotcher a letter and I could feel it in my bones, dere was trouble in dat letter.” Young Master Ben—the eldest son—had been killed. “When

de body comes home, dere's a powerful big funeral and . . . powerful weepin's and sadness on dat place."

Hayes maintained that during the war day-to-day life on the plantation went on "like always, 'cept some vittles was scarce." The slaves "didn't know what de War was 'bout," and apparently were not particularly interested. "I guess we was too ign'rant," Hayes said, "De white folks didn't talk 'bout it 'fore us." When the war ended and their master returned home, the slaves joined in the celebration, singing and dancing with the "white folks." According to Hayes, when they learned that they were free to leave, "none of us knows what to do, dere warn't no place to go and why would we 'uns wan' to go and leave good folks like de marster? His place was our home." Most of the slaves chose to stay until the master died in 1866.³

Hayes's example may not be representative of slave life during the Civil War in Texas, but it demonstrates one way that blacks and whites were forced to interact. Hundreds of thousands of slaves in other parts of the South flocked to areas occupied by northern armies, seeking long-denied education in missionary schools, proving themselves in the federal army, and carving out new economic lives.⁴ Far from the liberating Union lines, Texas slaves endured a different kind of war than blacks east of the Mississippi. Although many black Texans extended the boundaries of their bondage, they usually had no choice but to wait out the war with their masters, while masters had no choice but to rely on their slaves even more than they had in peacetime. Texans did not often discuss the faithfulness of their slaves; perhaps the latent but ever-present potential for violence within the slave system—brought to life so recently in the wave of violence and arson in 1860—caused them to reassure themselves with silence.

Many Texas slaves performed faithfully during the war. "The negroes, as a general thing," reported the *Marshall Texas Republican* soon after Appomattox, "have acted very well towards their owners and the white residents of the South, during the disturbed condition of the country for the last four years." A few joined "the invaders," but only because of their "ignorance and the superior control of the white man." With a confidence that belied whites' later reactions to blacks during Reconstruction, the *Republican* asserted that the "war has demonstrated . . . that the idea of negro insurrections, once so prevalent, is a humbug."⁵

A few slaves met their masters' highest hopes and expectations. The slave members of a Marshall Methodist church hosted a supper, complete with singing and praying, for the minister and other guests. Blacks in Houston raised forty dollars for sick soldiers with a "grand ball" in July 1862, which they "conducted with the utmost propriety and decorum" and two "highly amusing" Negro tableaux held in Austin in April 1863, raised

\$450 for Texas soldiers. Many slaves went to war to tend horses, nurse the sick and wounded, or act as personal servants to their masters. Rube Witt claimed to have enlisted in the Confederate army as a teenager, while James Cape suffered a shoulder wound while fighting in Tennessee. Some slaves provided dramatic evidence of their loyalty. When federals captured his master, William Byrd walked all the way from Virginia to Texas and waited until after the war to be freed. Henry Smith marched with the Texas Brigade through the siege of Petersburg, where his master's son was killed. Henry buried him and carried his belongings back to the plantation in Texas, where he continued working after freedom until his white family died.⁶

Back home, slaves frequently "kept de work on de plantations going, for dey had to keep on livin' an' some one had to do dis work." The slaves on Burke Simpson's plantation "jis stayed an' took keer of things for de Master while [he] wuz away to de war." When Union troops invaded South Texas and tried to entice slaves away from the King Ranch, a Houston newspaper proudly reported that they "remained with their mistress, and came away with her, proving true to the last." One LaGrange planter felt so confident in the loyalty of his servants that he left his wife and four girls alone with ninety-eight slaves in 1864. "They were all good negroes," the eldest daughter testified years later, adding that "my father would never own a vicious negro—mean horse or dog." Few blacks considered escaping from the Bexar County ranch on which Felix Haywood worked, because "we was happy." Life "went on jus' like it always had before the war. . . . We get layed-onto time on time, but gen' rally life was . . . just as good as a sweet potato." Slaves were not unaware of the threat they posed to southern society, however. "If every mother's son of a black had thrown 'way his hoe and took up a gun to fight for his own freedom along with the Yankees," Haywood believed, "the war'd been over before it began." Nevertheless, "we couldn't help stick to our masters. We couldn't no more shoot 'em than we could fly." Martin Jackson's father offered a grimly prophetic argument for remaining faithful: "He kept pointing out that the War wasn't going to last forever, but that our forever was going to be spent living among the Southerners after they got licked."⁷

Other slaves found routines upset and provisions scarce, and many suffered at the hands of cruel overseers hired to replace absent masters. In Galveston, overcrowding, shortages, and hard labor on Confederate fortifications caused illnesses to flourish and mortality rates to skyrocket.⁸ In the face of these hardships, most Texas slaves could hardly ignore the war, although at least one told his WPA interviewer, "White man, we 'uns didn't know dere am de war. We seed some sojers at de star[t], but dat all." Nevertheless, many slaves knew all about the war from personal experi-

ence or after listening in on the white folks' conversations. One plantation mistress remembered that "the white men didn't talk the situation around where the niggers could hear . . . knowing that the nigger is a natural news ferret, and the biggest gossipier that ever was." J.W. King said that "some of de men on de plantation would slip up to a open winda at de big house at night and . . . lissen whut was read f'om a letter." Bad news for the Confederacy fueled the slaves' hopes. Despite their distance from the battlefields on which Mr. Lincoln's army fought, they instinctively grasped what was at stake in the white men's war. Around late-night fires, Abram Sells recalled, the older men would crouch, "stirrin' the ashes with the pokes and rakin' out the roas' taters. They's smokin' the old corn cob pipe and homemade tobacco and whiperin' right low and quiet like what they's gwineter do and whar they's gwineter go when Mister Lincoln, he turn them free."⁹

A minority of Texas slaves became dissenters by challenging their own status and, in so doing, the institution of slavery. Some hurried the day of freedom by escaping from their masters, and a handful—forty-seven—joined the Union army, but most rebellious slaves chose less daring forms of resistance. Wartime conditions and hardships inspired slaves to rearrange their relationships with masters and mistresses. Some slaves on a Williamson County plantation ran away—despite the nearly automatic "whippin' at de stake" that would greet them if caught—when a harsh overseer took over for their master, who had gone to fight in the war. Susan Ross's brother—after refusing to go to the army—fled his master's plantation after a beating so severe that "you couldn't tell what he look like." Although the war years did see an apparent escalation in the number of runaway slaves, escape held little chance of success, at least according to one Burleson County ex-slave. "I never seen any slaves that tried to run away until after the war," said John Mosley, "but . . . they never got very far at that." Punishment was sure and swift. Lee McGillery saw "a few slaves try to run away to the north after the war started and when the white folks of the south find them they would most of the time jest shoot them. Some few they never did find."¹⁰

Some runaways exploited the traditional sympathy between Mexicans and blacks by making their way to Mexico, thus confirming vigilant Texans' contempt for Hispanics. At one point, Mexicans on the south bank of the Rio Grande rigged up a flatboat in the middle of the river. Once a fugitive reached the boat he could easily pull himself across to freedom. Jacob Branch reported that "de white folks rid[e] de Mexican side [of] dat river all de time, but plenty slaves git through, anyway." Sallie Wroe's father was sent to the border with a load of Travis County cotton. When he reached the river, he and a number of other drivers paddled a bale of cotton over to

Mexico. Upon his return home after the war, he told them "he done git 'long fine with Mexico. He learnt to talk jes' like them." Similar instances led the *Houston Telegraph* to warn its readers against taking even "their trusty negroes" to Matamoros on business. Although everyone believed that his own slave was too attached to his master to run away, Matamoros was "overrunning with these trusty, now insolent negroes." "Loose colored women" and escaped slaves with plenty of spending money would lure otherwise faithful slaves into the welcome anonymity of the city. Once there, according to one Union army officer, some blacks enlisted in the Corps d'Afrique in the occupation force at Brownsville.¹¹

Many Texas Confederates also detected surliness among those slaves who did not attempt to escape. A Houston newspaper complained in January 1865, about the insolence of the city's blacks. They uttered obscenities in the presence of children, refused to yield roads or sidewalks to white ladies and puffed "vile" cigar smoke in their faces, and bought illicit liquor from white merchants. The editor accused masters of being "altogether too lenient . . . and too regardless of their [slaves'] behavior." Likewise, the *San Antonio News* reported in mid-1864 that blacks were "pulling on important airs" on that city's streets. A "general negrow row" ensued in Nueces County when a female slave stole about \$2,000 and distributed it among her black and Hispanic friends. Authorities recovered only \$700. A Harrison County black allegedly plundered the home of a Mrs. Manson, whose husband was off fighting the war, then burned it down to escape detection. A few whites also reported aberrant behavior among slaves on their plantations. "Jack," a slave on John B. Walker's plantation, ran away three times during the summer of 1864. Once he left after having "refused Authority," and on another escapade he "borrowed" a mule.¹²

Mrs. Lizzie Neblett recorded the deterioration of slave behavior on her Grimes County plantation in a series of letters to her husband, Will, who was away in the army for much of the war. Lonely, burdened with a colicky baby, and often ill, Lizzie frequently complained about life in general and the slaves in particular. "I could not begin to write you," she moaned in late 1863, "how our negroes do all the little things." She could trust only a few slaves, and only two would give her any news from the quarters. She grouched that most would not do anything unless they were told, and that "*I find I must think continually for them.*" Several slaves resisted whippings from the overseer or ran away, part of a disturbing trend of insolence and misbehavior among slaves in the neighborhood. The situation had gotten so bad that "a great many of the people are actually afraid to whip the negroes." One slave, threatened with a beating by one of Lizzie's elderly neighbors, "cursed the old man all to pieces, and walked

off in the woods." He came back only after his master promised not to punish him. Another neighbor's slaves rode his horses all over the county during their nocturnal adventures, and Lizzie doubted whether her own slaves were much better. "I believe if I was to tell [the overseer] to whip one of the negroes they would resist & it would make matters no better so I shall say nothing, and if they stop work entirely, I will try & feel thankful if they let me alone." For perhaps the first time in her life, fear also entered her relationship with the slaves: "I won't sleep with my doors open, any more, & if they break open either door or window I'll have time to be better prepared for them & will fight til I die." She continued in this vein in a later letter when she wrote, "I would not care if they killed me, if they did not do worse."¹³

As noncitizens, even the most untrustworthy slaves could not legally be charged with disloyalty. A Confederate district judge ruled in May 1863, that since slaves "are not members of the body politic—& do not owe allegiance to the Govt.," they could not be tried for treason. Nevertheless, southerners depended on their loyalty—whether it was given voluntarily or under duress—and the southern system of swift, brutal punishment for slaves who violated community standards would have made any application of disloyalty statutes largely superfluous. Late in 1864, three railroad workers took eight hours to beat a black man to death for allegedly stealing three yards of homespun cloth, while enforcers at Tyler burned at the stake a slave suspected of murdering his master. Vigilant Texans near La Grange hanged an escaped slave named Yorick—two weeks after Lee surrendered at Appomattox—when he was found "endeavoring to accomplish a purpose too horrid to mention" upon a "German girl." The state legislature responded to the potential threat of rebellious slaves and northern invaders by passing several laws aimed at preventing slave insurrections—especially those instigated by marauding Yankee troops or their emissaries. In addition, "any person of color" captured while invading Texas could be enslaved, a fate suffered by at least a few black Yankees, and it was illegal to leave slaves alone without "free white" supervision or to allow a slave to pretend to own or to control property. Towns also tried to prevent future trouble. The Austin city council ruled that three or more blacks could not "congregate on the streets or off the owners [*sic*] premises." The penalty for that "crime" was ten to twenty-five lashes.¹⁴

Despite the problems caused by slaves during the Civil War, neither the war nor the behavior of their chattel property led Texas Confederates to question the desirability of retaining the peculiar institution. Early in 1863, a Huntsville resident found it impossible to purchase a slave girl, for "the country has been full of negro-buyers for months." Some masters hurried to the Texas frontier very late in the war, hoping to outrun the

Yankees and establish themselves far beyond the effective boundaries of emancipation. Elvira Boles came to Texas with her master in 1865, "a dodgin' in and out, runnin' from de Yankees" all the way from Mississippi. Late in the war, a Travis County slaveowner relocated his slaves and himself in Robertson County, hoping to hide from the advancing Union forces. As late as May 1865, owners of runaway slaves still offered rewards of up to \$500 in Confederate currency, and J.L. Maxwell of Collin County offered to exchange his small farm for "Negro property."¹⁵

Even after the war ended, some Texans believed that slavery would survive. The *Marshall Texas Republican* predicted that the thirteenth amendment would not be ratified. Emancipation would be a social, economic, and moral disaster for both races, and would "naturally" be followed by "vagrancy, filth, disease, and crime" among the freedmen. The *Republican* asserted that Texans should be allowed to keep their slaves, especially since most owners, "actuated by an attachment for the race," still held them as late as mid-June 1865. Doubtless other Texans, even slaveowners, held no such illusions or even sentiments. Nevertheless, as events during the next decade revealed, few were ready to give up their old relationship with their slaves—a relationship upon which their entire society was based in favor of a brave new life of black and white equality. This attitude made it apparent that Texas blacks had only begun their fight for freedom; Reconstruction would find many more of them "dissenting" against centuries of servitude and tradition in their struggle to forge their own lives and their own destinies.¹⁶

That a sizable number of German-Texans dissented against the Confederacy surprised few Texans. They had suspected their German neighbors' loyalty since the mid-1850s, despite the fact that only a minority of Germans had agreed with the principles or the politics displayed in the "San Antonio Platform" with its noxious antislavery plank. Nevertheless, the actions of those German liberals shaped the views of "Americans" in Texas toward all Germans. The votes against the secession ordinance in several West Texas counties and the well-publicized actions of individual or groups of Germans during the war further tarnished their reputation as southerners and Confederate citizens. It probably did not help that northerners, including a former resident of Texas, George Denison, believed that "the Germans can be relied on almost without exception" to support the Union war effort. All of these factors contributed to the Confederate perception that the German element among them lacked sympathy for the southern cause because of certain principles—a hatred of slavery, a devotion to the Union—that conflicted with Confederate goals.¹⁷

One such shaper of the Texans' perceptions of Germans was a San

Antonio saloon keeper named Saddour, "a Union man to the backbone." During the early days of the war, while soldiers belonging to the surrendered Union regiments waited in San Antonio for their paroles and transportation north, Saddour opened his saloon to the bored Yankees, who enjoyed a remarkable freedom to roam around the city. Under the protection of Saddour's hospitality, they drank, sang patriotic songs, and cheered one another and Abraham Lincoln. The German publican served Yankees three pints of beer for the same amount—a nickel—at which he sold a much smaller amount to Confederates. When challenged, Saddour explained his prices by tossing a large "Union" and a small "Secesh" glass onto the floor. The former bounced off the floor unharmed, while the latter burst into hundreds of pieces, proving what Saddour believed to be an obvious point about the nature of the Union and that of the Confederacy, respectively. Local authorities soon forced Saddour out of business.¹⁸

A more serious case arose in Bandera County, a heavily German area, where residents apparently paid no taxes, circulated a petition demanding a reunion of the states, threatened prominent secessionists, and stole the buggy wheel of a Confederate judge and threw his seat cushions into a river. The German postmaster opened the mail of leading secessionists, and local Unionists had chosen to form a home guard company rather than join the county militia. This extensive disaffection was all the more frightening, according to a local fire-eater, because "our Southern boys have almost all joined Capt. Adams [*sic*] Company and the Secessionists are in a minority in the County at this time."¹⁹

Concerned Texans grew alarmed when large groups of Germans organized in other parts of the state. An Austin County planter pleaded for help from Governor Lubbock in March 1862, because "credible, reliable information" revealed that two hundred Germans had vowed to resist the Confederate draft, to aid Lincoln and the northern war effort, and, even worse, "to *countenance* and *assist* the negroes in case of an invasion to rebel against their owners." Col. (later Brig. Gen.) Henry McCulloch urged Governor Lubbock to declare martial law in San Antonio in order to thwart the anticipated seizure of the local arsenal by a company of Unionist Germans. Guadalupe County residents petitioned the governor to exempt an important local slaveowner from military duty because so many men in the area had already been drafted. Only a large number of Germans who "are not safe, or loyal citizens" remained; the drafting of any more loyal slaveholders would be "ruinous . . . [to] the slave holding community." Shortly after Union forces captured Galveston in the fall of 1862, C.G. Wells wrote William P. Ballinger that the Germans in that city "are very false to us." In order to protect themselves from the nighttime raids of

vengeance-minded rebels, "every night they go to the end of Nichols' Wharf for safety, taking up the planking behind them."²⁰

So widespread was the real and the perceived disloyalty of the Texas Germans that vigilant Texans seemed to take special delight in persecuting them. One Union soldier believed that the "principal duty" of a regiment purportedly raised to protect the frontier "seemed to be to hunt down Union men, and hang them, especially the Germans in the settlements North of San Antonio." The English traveler Fremantle reported that the partisan rangers he talked to near Brownsville reserved their most severe hatred for Unionists. "Nothing could exceed the rancor with which they spoke of these *renegados*, as they called them, who were principally Germans." A Confederate soldier who rather sympathized with the persecuted Germans, R.H. Williams, visited the camp of a frontier regiment along the Rio Grande and found a human skull hanging from a pole on top of their commissary hut. He discovered that it had belonged to a German killed while trying to cross the Rio Grande. The rebels were "quite indignant" when Williams suggested that a proper burial might be more appropriate for this "poor remnant of humanity," than "regarding it as a trophy to be proud of."²¹

The Germans themselves certainly believed that they had been singled out for special mistreatment. A San Antonio resident claimed to speak for "thousands of loyal citizens of German origins" in a petition sent to the United States Congress in December 1861. It stressed the Union and antislavery sentiments of the Texas Germans, and urged an invasion to relieve the loyal citizens and slaves in the state. "It would be flattering and congenial," said the memorialist, if part of the invading force could be composed of Germans. Another German reported to A.J. Hamilton after the war that "the ruling party" had been waiting "only for the success of the rebellion to make the 'damned Dutchmen' [*sic*] feel the full power of their oppression."²²

One of the best-known "damned Dutchmen" was Edward Degener, a Forty-eighter and delegate to the 1854 San Antonio Convention. A former member of the German National Assembly, Degener had come to Texas after the failure of the liberal revolution in his country and had taken up farming near Sisterdale.²³ By the beginning of the Civil War, Degener had earned a reputation as a dedicated Unionist and antislavery man. His actions during the first year of the war earned him a court date before the Military Commission in San Antonio on the charge that he was "hostile to the Government of the Confederate States, and is a dangerous and seditious person and an enemy to the government of the Confederate States." His main crime was to help obtain arms and supplies for a German

Unionist militia company in West Texas—a company that would, in August 1862, fight a pitched battle on the Nueces River with state troops in which two of Degener's sons, Hugo and Hilmer, would die.

Witnesses testified (although their exact words have not survived) to Degener's Unionism and disaffection from the Confederacy, and C.S. West, the Judge Advocate General—and, ironically, Thomas H. DuVal's son-in-law—stressed Degener's sons' presence in the Unionist company, his participation in the controversial *Saengerfest*, and a letter written by Degener that complained of the Confederates' tyrannical use of martial law, conscription, and the suspension of habeas corpus. Degener wrote that if the South actually won its war for independence, "it may become necessary for the Germans to emigrate again." Degener claimed in the letter that a San Antonio newspaper had recently suggested that a planter should be reimbursed for each runaway slave by "giving him two Hessians to cultivate his land." This was ridiculous, of course, but it proved that every southerner despised all Germans as "Black Republicans" and abolitionists.

Interestingly, a number of defense witnesses claimed that Degener had, in fact, ignored politics since the war had started, had tried to prevent his sons from fighting against the Confederacy, and had actually wished out loud that he had the resources to buy a slave or two. Such testimony belied Degener's later Reconstruction career as a Radical Republican congressman and San Antonio alderman and his ardent defense of the civil rights of freedmen. The court ordered him to pay a \$5000 bond to guarantee his "good and loyal" behavior for the remainder of the war.²⁴

Other "dangerous" Germans included Jacob Kuechler, a German scientist and socialist who helped lead the ill-fated march of German Unionists to the Nueces, and Thomas Hertzberg, a San Antonio physician. Kuechler, seriously wounded in the fight with the Confederates, painfully made his way to Mexico and remained there until 1865. He, too, became a leading Reconstruction Republican. Hertzberg reported, in a postwar letter to A.J. Hamilton, that he had been "compelled to leave Texas" for Mexico in 1861. Later in the war the United States consul at Monterrey sent him to Piedras Negras, a village just across the border from Texas, to aid Unionist refugees and to recruit "our german boys into the Federal service."²⁵

Three more West Texas Germans who appeared before the Military Commission contributed to the impression that the German population was as a rule disloyal. Witnesses accused Philip Braubach, a farmer, stage driver, and sometime law officer near San Antonio, of using his office to aid Union men, of recruiting only Union-loving Germans for a frontier defense company, of depreciating Confederate currency, and, according to

one witness, of associating "with the party who halloes for the Union." Julius Schlickum also allegedly depreciated Confederate currency and, in the words of a Confederate sergeant, "never had any good news on our side, but generally had something bad to tell." More seriously, Schlickum allegedly knew and approved of certain groups of disloyal citizens who had banded together to resist conscription. The third member of the trio was Fredericksburg's own disloyal saloonkeeper, Ferdinand Doebller. Witnesses labeled his tavern "the place of rendezvous for people calling themselves Union men" and claimed that "none of the loyal Citizens would visit his house any more." He also sold a "Black Republican newspaper" in his store. The court considered all three men doubly dangerous because of their influence over their friends and neighbors and sentenced them to prison for the duration of the war.²⁶

The Degeners, Kuechlers, and Braubachs monopolized the public's perception of Texas Germans; the behavior of German Liberals in the 1850s, the outcome of the balloting on secession, and the writings of travelers such as Frederick Law Olmsted confirmed the apparent untrustworthiness of German-Americans living in Texas. Nevertheless, hundreds of Germans served loyally in Confederate or state military organizations, and a number of German leaders became Confederate officers. One of Edward Degener's lawyers, for instance, the German-born Jacob Waelder, was a Confederate major. Carl William von Rosenberg, the son of a Prussian noble, had served as a lieutenant in the Prussian army and as a Royal Architect for Frederick William IV. His liberal views made advancement difficult, and he journeyed to Texas in 1849, where he rose to chief draftsman in the General Land Office. Unlike most German political refugees who opposed slavery, however, he voted for secession and joined the Confederate army as a topographical engineer. Another German liberal, Gustavus Schleicher, speculated in West Texas land, promoted railroads, published a German-language newspaper, and worked as a surveyor in the 1850s; after winning election to the state senate in 1859, he became an advocate of secession and later entered the Confederate Army as a captain of engineers.²⁷

The best-known German-Confederate was Col. August Buchel, who eventually commanded the Third Texas Cavalry. Buchel grew up in the German province of Hesse, where he graduated from a military academy and served as a lieutenant. Between 1831 and 1845, he fought for Germany and in the French Foreign Legion, and worked as an instructor in the Turkish Army. An avid duelist, he apparently killed a man in Germany and quickly sailed to Texas. He continued his military career in his new home, raising a company of Texas volunteers to fight in the Mexican War and serving on Gen. Zachary Taylor's staff at the battle of Buena Vista.

Following the Mexican War, Buchel received an appointment as Collector of Customs at Port Lavaca. When Juan Cortina raided Brownsville in 1859, he leaped at the chance to serve his state and organized a company of Indianola volunteers who helped drive Cortina out of the Rio Grande Valley. Apparently unconcerned with politics and uninterested in the slavery question, Buchel adapted well to southern society. As one of the most experienced soldiers in Texas, Buchel naturally sought to contribute to the Confederate war effort. Late in 1861, he became lieutenant colonel and later colonel of the Third Texas Infantry, stationed in South Texas. Two years later he took command of the Third Texas Cavalry and led them through the fighting in Louisiana. He died in combat at the battle of Pleasant Hill in the spring of 1864, a well-respected and admired professional soldier.²⁸

Other Germans who entered the Confederate army came from decidedly less militaristic backgrounds than Buchel. Joseph Bruckmuller, for instance, had lived in Marshall, Texas, for only three years when the war broke out. His shoemaking and grocery business fell off in the slump that followed secession, and "to live up to my duties toward my chosen country," he joined the Seventh Texas Volunteers. The regiment fought in Kentucky, Tennessee, Mississippi, and Louisiana, and Bruckmuller ended up a prisoner of war twice (once after the surrender of Fort Donelson). Frequently ill, the young German survived a bout of cholera and worked for a while as a hospital orderly. After his second escape from the Yankees, in the fall of 1863, he went back to work as a shoemaker. His occupation may have earned him an exemption from conscription; nevertheless, for the remainder of the war he was "scared to be drafted again."²⁹

The letters of another German enlisted man, Rudolf Coreth, reveal some of the problems experienced by Germans in the Confederate service. Rudolf, the son of a Tyrolean count who had settled near New Braunfels in the late 1840s, joined an all-German company from Galveston in the fall of 1861 and served throughout the war in Louisiana and in garrisons in South Texas. Two of his brothers died of disease while in the Confederate army, and Rudolf apparently never regretted having volunteered to fight for his adopted country. The Coreths owned no slaves, but Rudolf hired black servants to cook and do laundry in camp and, in scores of letters to his parents, he never questioned the justice of slavery.³⁰

According to one prewar German Unionist, before 1862, "it was a rare exception for a German to join the Confederate movement out of conviction," and even those who served the Confederacy, "were friends of the Union in spite of their grey jacket." This seemed not to be the case with Rudolf and many of his comrades. In spite of their reputation, young Coreth claimed that most of the German-speaking soldiers in his regiment

remained faithful to the Confederacy. When the news broke that the command would soon be campaigning in Louisiana, many soldiers deserted and several officers resigned. Nevertheless, "our Germans from up there are still holding up quite well"; only three men out of the two German companies with which Rudolf was familiar had deserted. Although he personally remained loyal, Rudolf seemed aware of the attitudes of many Texans and remained as much of a German as a southerner, occasionally challenging the Confederacy's centralizing tendencies. Rudolf complained about the "dictatorship" of Brigadier General Hebert when he proclaimed martial law in the spring of 1862, and when Rudolf heard rumors that some southerners favored turning the Confederate states into a monarchy he wrote that it could probably happen. "If the planters think they can keep their Negroes under a regent," he wrote to his family, "surely they will be for it." For himself, he would try to get out of the army if the Confederacy chose to institute a monarchy.³¹

Rudolf also betrayed a hint of resentment when an "American" defeated him in an election for company lieutenant. Although the unit consisted primarily of German-Texans, many members thought that "it would make the company look very fine if we elected an American." Even though he never renounced his allegiance to the Confederacy, Rudolf distanced himself a bit from other southerners. In a letter in early 1862, he wrote to his family about "another opinion of the Southerners . . . that reached our ears here and that you may not have heard. They say about the German Northerners whom they beat in a battle, that they had stood quite still and exposed themselves to their fire and did nothing but keep loading and shooting because they were too stupid to run away."³²

Matters came to a head for those Texas Germans who refused to adapt to the Confederacy as well as Rudolf Coreth on August 10, 1862, in a one-sided fight on the Nueces River, which the *Dallas Herald* dubbed "The Battle with the Traitors." The "battle" marked the climax of a summer-long campaign by Confederate authorities to break resistance to the Confederacy, especially to the conscription act, in the German-dominated hill country west of Austin. Opponents of the war and the draft in and near Fredericksburg had formed a "Loyal Union League." The league publicly announced that it intended to protect this exposed part of the frontier from Indians and outlaws, but Confederate officials believed—not without reason—that its genuine purpose was to resist conscription and other Confederate programs. In May 1862, a detachment of Confederate troops marched to Fredericksburg to restore order and to ensure the loyalty of the area's citizens to the Confederacy.³³

The Confederate troopers arrested citizens, burned a few Unionists' farms, ousted a local militia captain, and generally intimidated most of the

population of Gillespie and the surrounding counties. Elements of the Thirty-second Texas Cavalry joined the roundup, scouting the rough country around Fredericksburg, guarding the town day and night, and hunting "bushwhackers." Cavalryman Thomas Smith recorded in his diary that when a suspected Unionist "chances to fall into the hands of the C. S. soldiers he is dealt pretty roughly with and generally makes his last speech with a rope around his neck." According to Smith, "hanging is getting to be as common as hunting," and "the creeks in this vicinity are said to be full of dead men!!" Proof came one day when Smith witnessed "a sight which I never wish again to see in a civilized & enlightened country"—four dead bodies floating in a water hole. They had been "thrown in and left to rot, and that too after they were hanged by the neck [until] dead."³⁴

Early in August, a party of just over sixty men, mostly German members of a "Union League," determined to escape exactly that kind of fate by going to Mexico. The strangely unsuspecting refugees set a leisurely cross-country pace and failed to take the necessary defensive precautions. A company of about one hundred Texas Partisan Rangers under Lt. C.D. McRae caught them after tracking them for a week through the rugged, unsettled, and sweltering South Texas frontier. The Confederates attacked before dawn on August 10, and their superior firepower overcame the outnumbered Germans after a sharp fight in which two Confederates died and eighteen were injured. Thirty Germans were killed, and about twenty were wounded. No captives survived; shortly after the firing stopped, a squad of Confederates shot to death the nine injured Unionists who had surrendered. The wounded Lieutenant McRae merely stated in his official report that the Germans "offered the most determined resistance and fought with desperation, asking no quarter whatever; hence I have no prisoners to report."³⁵

News of the massacre on the Nueces sparked violent protests in San Antonio and other towns to the north that authorities soon put down. One vigilant hill country Confederate claimed that the "Union League" had been organized to "murder and pillage" loyal Texans and believed that the "bloodthirsty bushwhackers and villians disgracing the North and the Union flag by calling themselves Union men" had got what they deserved. Rudolf Coreth attributed the ugly rumors that wounded men had actually been murdered after the battle to Unionists in San Antonio. The Military Commission in San Antonio sentenced Ferdinand Simon, taken into custody after fighting against the Confederates, to death.³⁶

The massacre culminated the official campaign against disloyal Germans in Texas, although for the remainder of the war hill country Unionists would be terrorized by what the Germans appropriately called the *Haengerbande*—gangs of Confederates who warred on civilian Unionists.

After the Nueces massacre, however, Germans would never again be perceived as a serious threat to the Confederate war effort. Some of the dissenting Germans had been killed, while many had escaped to Mexico, others had found some sort of safe hiding place, a good number had found refuge from Confederate service in the companies formed by the state to defend the frontier, and still others had settled into an uneasy accommodation with the Confederate authorities. All in all, German resistance in east-central Texas quickly dwindled, although late in 1862, large groups of Germans met in Fayette, Washington, Colorado, and Austin counties, threatening to arm themselves in order to resist conscription and causing all sorts of consternation among the apparently outnumbered residents of those counties. They signed petitions, held meetings (with as many as six hundred in attendance), and drove off enrolling officers. By late January 1863, however, the problem had disappeared, and most of the men meekly submitted to enrollment for the draft—perhaps with the specter of the Nueces incident haunting them. Fremantle reported from San Antonio a few months later that many Germans had been “at first by no means loyal to the Confederate cause,” but that “it is said they are now reconciled to the new regime.” One rather bloodthirsty Confederate wrote home after the Nueces incident that “the tories in this part of the country is getting somewhat scarce.” He attributed their scarcity to the violence that had left disloyalists “lying and hanging all over the woods.”³⁷

As a whole, Germans came closer than any of the other outsiders in Texas to sharing southern values; although few owned slaves, many who had arrived before 1848 had become involved in the Texas economy and fully supported the Confederate cause. The Confederate army was sprinkled with companies or even regiments made up largely of Germans. The historian of the Thirty-second Texas Cavalry wrote that anyone riding into the camp of Company F—recruited in Comal County—“might . . . guess . . . that he had entered an encampment of the Prussian Guards, fresh off the fields of the Austro-Prussian War.” Nevertheless, a large minority, unable to reconcile themselves to slavery or to secession, tried to resist or at least to ignore the Confederacy. They paid the price in blood and in the lingering suspicion with which many Texans regarded Germans.³⁸

Mexicans—who also generally desired to remain apart from the Civil War—were categorized with the “treasonous” Germans in the mind of at least one Confederate officer when H. E. McCulloch, at the time a colonel, wrote to Gov. Francis Lubbock in 1862 that “if ever Lincoln’s army penetrates Texas from the South or West,” German refugees in Mexico “will return with all the Mexicans they can bring with them.” The attitude of white Texans toward Hispanics living in Texas had not changed since

Frederick Olmsted wrote in the mid-1850s that Texans considered Mexicans "to be heathen; not acknowledged as 'white folks.'" The decades of fear, hatred, and tension between Anglos and tejanos influenced both the latter's reaction to the Civil War and the former's wartime attitude toward Mexicans.³⁹

Not even the example of Cuban-born José Agustín Quintero convinced Anglos to trust their Hispanic neighbors. Quintero had practiced law and edited the *San Antonio El Ranchero*, a Spanish-language newspaper, before the war. After the attack on Fort Sumter, the thirty-two-year-old Quintero marched with his Texas regiment to the front in Virginia. Soon, however, he entered the Confederate foreign service, and in June 1861, he arrived in Monterrey to establish friendly relations with Santiago Vidaurri, the most powerful man in Northern Mexico. He had a hand in most Confederate foreign policy initiatives in Mexico, and played an active role in buying arms and supplies, in securing the Texas-Mexican border, and in establishing trade between the countries. Despite Quintero's efforts, however, Texans were much more likely to remember incidents such as an emergency in Brownsville in the fall of 1863, when the government desperately tried to round up as much transportation as possible. Mexican teamsters, according to the *Brownsville Flag*, "skeeaddled for the woods and hid their drays in the brush." The *Flag* urged Texans to "treat as aliens those who shun all the duties of citizenship and practice all the vices common to the enemies of the state."⁴⁰

Although Hispanics served in both the Confederate and Union armies, most attempted to avoid the war between the Anglos. The principles for which the war was being fought meant very little to them, and they had neither an economic nor a political stake in the conflict. The North and the South both rather feebly endeavored to win Mexicans over to their respective sides, but memories steeled the Hispanics against most offers. Neither the United States nor the state of Texas had ever tried to protect the property or political rights of Mexican-Texans, and when both governments hypocritically tried to enlist the support of Hispanics, the latter demonstrated their resentment by leaving the gringos to kill one another.

Nevertheless, nearly nine hundred Mexican-Texans served in the Union army, many of them in John L. Haynes's Second Texas Cavalry. Some confederates, John Ford, for example, believed that these Mexicans opposed secession and fought on the side of the federals because they "looked upon the government of the United States as the most perfect of any in the world." While that sentiment may have animated a few Union tejanos, many entered federal service in order to pay back old political and economic debts. This seemed to be the case in Zapata County where, in April 1861, about forty armed Mexicans marched on the county seat of

Carrizo to keep county officials from swearing allegiance to the Confederate states. Texas troops turned them away, inflicting heavy casualties, and Ford wrote Governor Clark that "it is the only appropriate way to treat traitors, who arm against the authorities of the state." He suggested that Juan Cortina, long the scourge of Anglo-Texans, might have been responsible for the incident. Border raids by Mexicans from both sides of the Rio Grande also plagued the Confederacy. A group of raiders operating out of Mexico under Antonio Zapata called themselves the "First Regiment of Union Troops," but seemed to content themselves with plundering Texas ranches rather than fighting Confederate troops. A Nueces County Unionist named Cecilio Balerio led a company of cavalry that preyed on the cotton trade along the border. The actions of these men led Confederate authorities to fear that the United States consul in Matamoros, Leonard Pierce, would provide arms to the Mexican refugees from conscription and initiate a race war along the border.⁴¹

Nearly three times as many Mexican-Texans served the Rebels as served the Yankees. Roughly 2550 of them, many from Webb, Refugio, and Bexar counties, enlisted in Confederate or state militia regiments. Santos Benavides, the wealthy Mexican-born rancher, merchant, and Rio Grande Valley power broker, achieved the highest level of any Confederate tejano, reaching the rank of colonel in command of his own largely Mexican regiment.⁴²

Although some Hispanics seemed eager to fight for their adopted state, Confederate commanders rarely trusted their Mexican soldiers. At the same time, low and usually months-late pay, poor supply systems, and a profound lack of interest in the outcome of the war encouraged Hispanic volunteers to take their equipment and horses and steal across the Rio Grande. Like the German Confederates, Mexicans generally enlisted in companies or regiments made up largely of their own race, and only two Mexican-dominated southern regiments, including the one commanded by Santos Benavides, exhibited a large degree of constancy to the Confederate cause.⁴³

In fact, neither side expected or received the steady allegiance of its Mexican troops. August Buchel, then lieutenant colonel of the Third Texas Cavalry at Fort Brown, complained to a superior that his Mexican soldiers, "like all their countrymen, are susceptible to bribes and corruption, and cannot be depended upon." Texans usually treated Mexicans in the same ways they had always treated them. R.H. Williams, the Confederate Englishman who empathized more than most Texans with Unionists and other disloyalists, refused to arrest and turn over to the military authorities in San Antonio four Mexican deserters he had captured. He knew that "it was a hundred to one that the bloodthirsty mob would seize them . . . and

hang them in the plaza." With attitudes like these in common circulation among Confederates, it is not surprising that the Confederate cause—the cause of their long-time antagonists—inspired little enthusiasm among Mexican-Texans. In 1863 Brig. Gen. H. P. Bee, commanding the Department of Texas, proved to be more prescient than most Anglos when he protested that enforcing the conscription law on the southern frontier of Texas "would have had but the effect of driving the Mexicans across the Rio Grande and made them our enemies." Wherever it was attempted, "it . . . proved useless." Bee enjoyed some success, however, in recruiting tejanos into short-term enlistments in state units. Unlike most commanders on either side, Bee realized that the Confederate cause—or the Union cause, for that matter—was unimportant to most Mexican-Americans; he also knew that in order to win them over to the Confederate states, the government must protect their "rights and immunities as citizens."⁴⁴

Federal officers had no better luck with—nor more confidence in—their Mexican recruits. Despite the presence of large numbers of tejanos in the Union army, few rose above the rank of sergeant. Hispanics commanded only five companies in the First or Second Texas, although they constituted a majority of the enlisted men in at least ten companies and served as noncommissioned officers in roughly the same percentage as the Mexican-Americans' overall contribution to the Union ranks. Racism no doubt played a role in this, but the fact that many Anglos commanded "Mexican" companies also suggests that the language barrier, managerial inexperience, and a lack of political savvy may have posed insurmountable obstacles to a tejano rising through the ranks. While stationed at Brownsville early in 1864 a lieutenant in the Nineteenth Iowa remarked that the Second Texas Cavalry was "a peculiar institution and rather a hard operation to keep in proper running condition." The troops were "dishonest, cowardly and treacherous and only bide their time to make good their escape." They deserted so frequently that a guard had to be placed "around them to prevent their carrying out their roving propensities." As if to validate such skepticism, more than two hundred tejanos deserted from the Union's Second Texas Cavalry during the first half of 1864.⁴⁵

The reactions of Santos Benavides and Adrian J. Vidal to the Civil War represent opposite points on the spectrum of tejano behavior. Benavides, a descendant of the founder of Laredo, belonged to one of the wealthiest and most influential families—Anglo or Mexican—in the Lower Rio Grande Valley. His father had been a Mexican army officer, and his uncle, Bacilio Benavides, had been a chief justice and Texas Republic Congressman for Webb County, and was the only Hispanic delegate to the 1861 secession convention (he voted in favor of secession). Santos's brothers, Refugio and

Cristóbal, achieved fame and influence in their own right, as Indian fighters, businessmen, politicians, and Confederate officers.⁴⁶

For the first two decades of his life, Santos considered himself a Mexican citizen, and as a teenager commanded a company of forty men through the bloody guerrilla fighting in the Federalist wars of 1838–1840. When United States troops occupied the disputed Nueces strip during the Mexican War, Santos chose American citizenship because he believed the United States offered a safer environment for his business and political interests. Tired of a remote, inefficient government, unfair taxes, and vulnerability to Indian attacks, Santos hoped the United States could provide the stability so desperately needed along the border.

In fact, Benavides's career revolved around his efforts to secure stability for his region. He grimly fought Indians and chased outlaws—including Juan Cortina, a tejano of the same age and background but with a startlingly different perspective on race relations—and expanded his holdings and power. The patriarch of the Benavides family owned no slaves, but accepted slavery so that he, in turn, would be accepted by his Anglo neighbors. His own rule in the valley economy led him to identify with the hierarchical structure of southern society; his disdain for far-away, unresponsive governments led him to sympathize with secession. As a result, when war broke out, he assumed his accustomed place of leadership among valley Hispanics.

By the fall of 1863, Major—soon-to-be Colonel—Benavides commanded the Thirty-third Texas Regiment, leading them against Mexican raiders and against the Yankee invaders at Laredo and Brownsville. Ironically, during these skirmishes with the federals, his own largely Hispanic unit collided with the tejano-dominated Second Texas. Benavides succeeded in most of his campaigns, and earned the respect of his Confederate colleagues. Even his loyalty was questioned occasionally, however. Rumor had it, late in 1863, that he had deserted across the river with twenty of his men, while in April 1865, it was reported—apparently inaccurately—that he had unilaterally pledged to stop fighting the United States.⁴⁷

Benavides represents those Mexican-Texans who for one reason or another felt a responsibility to Texas, if not to the South, and who perceived their interests to be identical to those of the Anglos who dominated Texas economic and political life. Unfortunately for Texas Hispanics, even his efforts on behalf of the Confederacy failed to change most Texans' minds about the mass of tejanos.

Adrian J. Vidal's experience during the war differed dramatically from Benavides's and symbolizes the way that many Hispanic Texans found a

niche in neither the Confederate nor the Federal cause; his behavior during the war met the low expectations—by southern standards—that most Texas Anglos had for tejano residents. The seventeen-year-old son of a Mexican woman and a wealthy Anglo merchant, Vidal had at the age of twenty secured a Confederate captain's commission and the command of a company by the middle of 1863. At least one Confederate compatriot thought very little of this "young, half-bred Mexican." R.H. Williams found him "a vain, trifling fellow without any experience, who cared for nothing but gambling and drinking." Perhaps this attitude was so widespread among Vidal's fellow Confederates that he tired of the constant remarks about his age and race; whatever the case, Vidal killed two Confederate couriers and deserted with nearly ninety men—primarily Mexican nationals—in October 1863. After briefly threatening Brownsville, Vidal retreated up the Rio Grande Valley, robbing ranches as he went.⁴⁸

Following a course of action different from that of most tejano deserters, Vidal accepted a captaincy from the recently arrived federal forces and returned to Brownsville, now occupied by the Yankees. There he married "the accomplished and beautiful" Anita de Chavero, and led his men on scouting expeditions throughout the Rio Grande Valley. But, after a few months of arduous duty, weary of army rules and regulations, angry at the tardy pay and poor provisions given his men, and complaining about the difficulty of fulfilling his administrative duties when he could neither read nor write English, Vidal asked for an honorable discharge. He eventually received it, but not before he and most of his men once again deserted. Lt. Benjamin McIntyre expressed no surprise that "the gay fancy little Mexican" had left the army. "It is a great pity that the country ever accepted these men for soldiers," he wrote in his diary, "and still a pity that every *yaller belly* of them has not been permitted to desert."⁴⁹

Vidal escaped into Mexico, where he joined the Juaristas and fought against the Mexican Imperialists. In 1864, at the age of twenty-one, he was captured, court-martialed, and executed. His brief career showed how little stake Mexicans living in Texas had in the affairs of their state and country. Ill-treated in both of the armies in which he served, not committed to the principles espoused by either side, and unwilling to abide restrictions and hardships for causes that did not seem to apply to him, Vidal rejected Texas for his mother's homeland. The chief irony of his short life is that, not even in Mexico, could he find a country in which he was either safe or happy.⁵⁰

Vidal provides an extreme, though telling, example of the shortcomings of the Confederacy's policy toward the "outsiders" living in Texas. Although with great effort men such as Santos Benavides and August

Buchel could overcome their foreign birth and live comfortably in Texas, long years of political, economic, and cultural antagonism poisoned relations between Texans and tejanos and forced a vocal minority of Germans into rebellion against the Confederacy. Although most blacks had no choice of role during the war, they shared with the other outsiders an ambiguous and sometimes dangerous position in wartime Texas. Uncommitted to the structures of a slave society fighting for its life against northern "aggression," the loyalty of black, German, and Mexican Texans became immediately suspect, as it had been even before the war started, and as it would be after the war ended.

Loyalty and Reconstruction 1865-1874

When news of the evacuation of Richmond reached New Orleans in April 1865, a band of exiled Texas Tories celebrated the imminent end of the war at Victor's Restaurant on Canal Street. A.J. Hamilton, Thomas H. DuVal, S.M. Swenson, George W. Brackenridge, and others feasted on wine, beef, crab, and sheephead. These "very merry and patriotic" gentlemen thoroughly enjoyed the prospect of Confederate defeat. "Hurrah for the triumph of democracy vs aristocracy," DuVal wrote in his diary, "of freedom o[e]r slavery—of *the people* vs the Copperheads & secessionists." DuVal's "faith in the people," temporarily shaken by his wartime experiences, "is now firmer than ever. The American people will be more than ever one people, *one nation*, and . . . [will] work out a great destiny."¹

Three months later, the first issue of the first volume of the resurrected *Southern Intelligencer* entered Reconstruction with far less confidence. "It overwhelms us to think," wrote its editor, "that out of this chaos, produced by so terrible a failure at revolution, society has to be moulded and re-turned; a state recreated; a people reorganized; industry and commerce re-established; and law and order re-enacted."²

The debates that raged over this re-creation of the South, no less than the war itself, hinged on the question of loyalty to the Union and to the South. To understand them we must follow the postwar course of antebellum and wartime dissent. The war had strained and often ruptured seams in southern society; whether to support the Union or secession—and, later, the Confederacy—provided only one source of tension. Attitudes concerning slavery and the southern economy, ethnic differences, political ideologies, and the willingness or reluctance to persevere in the face of extreme hardship further tested southerners and fractured their communities. The onset of Reconstruction hardly eliminated these points of contention. Rather, the postwar decade presented even starker disagreements among southerners, as they reacted to military defeat and

cultural crisis. One area of conflict arose over who would rule in the South: those who had fought for the Union or those who had fought with equal sincerity for southern independence. Another crucial and related question concerned the shape postwar society would take. How would the freedmen fit into the lives of southerners unaccustomed to sharing equal rights, much less political power, with those they perceived to be inferior?³

Although Texas Unionists of both Confederate and Unionist persuasions briefly tried to resurrect the old prewar Opposition party, the radicalization of northern requirements for southern loyalty scuttled their efforts, as different segments of the party melted away and finally joined their old rivals, the Democrats. Even in exile, divisions among Union men had foreshadowed the dangerous factionalism of Reconstruction. According to John Hancock, "two parties" had arisen "among the Refugees—one very extreme & radical—the other conservative."⁴ Each of these sects viewed the war, the South, and the Union in a different way; each formulated its own definition of loyalty to its party and to the national government; each had its own ideas about how the conquered rebels should be treated; and each sprinkled its speeches, letters, and editorials with frequent references to patriotism and loyalty. As Congress's program of Reconstruction embraced Negro suffrage, disfranchisement of thousands of former Confederates, and the sometimes arbitrary and always centralized rule of the military and the Radical Republican government, fewer and fewer Texans could comply with the escalating demands Radicals made on their loyalty. As a result, the Opposition's attempt to finally gain control of the Texas political system failed. For many former dissenters, the price of political power, as set by the northern and southern Radicals, was simply too high. Torn again by conflicting loyalties to their region and their nation, this time most of them chose the South.

For a time, all of the former Unionists rejoiced in the end of the war and hoped that Texas's return to full membership in the Union would be a speedy one. Lucadia Pease breathed a sigh of relief in a letter to her sister in the North. "It has been so long since we have been free to speak or write our sentiments," she wrote, "that I can hardly realize that I can do so now." A formal celebration early in August welcomed A.J. Hamilton, the recently appointed provisional governor, to the capital city. A large escort met Hamilton at the ruins of his burned-out home about two miles east of Austin on the morning of August 2. The procession continued into Austin and up Congress Avenue to the capitol. A battery of federal artillery boomed a welcoming salute, the crowd sang the national anthem, and E.M. Pease delivered a two-hour speech, to which Hamilton responded

"with his old-time force and eloquence." Later, an "entirely impromptu" levee celebrated the Hamiltons' first night in the executive mansion.⁵

As the events that followed this disarmingly optimistic celebration would soon reveal, Hamilton needed more than eloquence to shepherd Texas smoothly back into the Union, while at the same time ensuring that only truly "loyal" men controlled the state government. As Sam Houston's heir to the Opposition's leadership, as a nationally known Texas Unionist, and as the first of the four Reconstruction governors of the state, Hamilton established the policies and attitudes against which Texans would react throughout the Reconstruction period. To conservative Unionists such as James W. Throckmorton, Hamilton's relative moderation seemed radical; to Radicals such as E.J. Davis and Hamilton's brother Morgan, A.J.'s course veered too far toward the rebellion-stained camp of the conservatives. Old political wounds, sectional antagonisms, and economic competition within the state—all exacerbated by the war—made Hamilton's thankless job even more difficult.⁶

Hamilton believed, with a Unionist logic that shows how important the question of loyalty remained during Reconstruction, that those men who had opposed secession before the war should form the basis of a restored, loyal government in Texas. He wished to monitor carefully who would be allowed to participate in rebuilding Texas government, and to that end pursued a tough policy regarding special pardons, especially for large planters. He refused to endorse most of the early applications for pardons, he told President Johnson, "because they [came from] a class who yield to what they cannot help," who "retain all the bitterness of heart which induced them in the outset to raise their hands against their Government, intensified by the dethronement of their God, the institution of Slavery." Hamilton expected repentance from the defeated rebels, but none of the applicants "seem to think it necessary to make the slightest apology for the past, but rather seem to think they place the Government under great obligations when they say with a lofty sadness 'I submit.' " The former Texas renegade believed that such men could not be relied upon to help form a loyal government.⁷

Hamilton's primary objective—which he believed could be accomplished by allowing only men of unquestionable loyalty to take part in Reconstruction—was to achieve the speedy readmittance of Texas to its full rights as a state in the Union. Nevertheless, he delayed calling a convention to make the necessary changes in the state constitution until he could be sure that Texans would select "loyal" men as delegates. The provisional government needed to administer the amnesty oath to the necessary number of registered voters, combat "treasonous" newspapers, indoctrinate the masses with the correct loyalties, and put the courts into opera-

tion so that they could “inspire a proper sense of the crime of treason in the public mind.” Hamilton predicted to President Johnson that “the action of Texas will meet the public expectation if not forced too soon.” By November, satisfied that “the public mind is working slowly, but . . . steadily, in the right direction,” he set January 8 as election day.⁸

When the convention met in Austin on February 7, 1866, Hamilton told the delegates what he believed they must accomplish in order to win federal recognition—a program with only a modest restructuring of Texas society that foreshadowed the moderate Republicanism of later years. He recommended that the delegates declare the 1861 act of secession null and void, admit the unconstitutionality of the principle of secession, repudiate Texas’s war debts, ratify the Thirteenth Amendment to the United States Constitution and promise never to reestablish the institution of slavery, and guarantee the civil and property rights of freedmen, including their right to testify in court cases involving white men. Despite the governor’s optimistic report to President Johnson that the delay in holding the convention had resulted in “an evident daily improvement in the temper of the members upon all the essential questions,” those members, with the conservative James W. Throckmorton presiding, deeply disappointed Hamilton. Although the convention did repudiate the war debt, its actions promoted the conservative view of how postwar society and politics should operate. The delegates rejected the Thirteenth Amendment, failed to nullify the secession of Texas, and passed an ordinance that exempted persons from legal prosecution for any of the consequences of their war-time acts. Clearly the conservatives were stalling, hoping to preserve their political influence and racial dominance in Texas while at the same time avoiding most of the controversial issues before them so as not to antagonize Congress.⁹

When it came time to elect a governor the following summer, a number of prominent conservatives, in an open letter published in many newspapers around the state, called on Throckmorton to run. “Knowing you to be opposed to the radicalism of the day” and to “the hasty and inconsiderate elevation of the negro to political equality,” the signers asked Throckmorton to help perpetuate an image of society to which many conservative Texans had been quite attached before the war. They needed the former Confederate general, for recent events “speak, trumpet-tongued, to every patriot in the land” to take action. Throckmorton accepted, and after a long summer campaign, routed the Union candidate, E. M. Pease—a rather unlikely adherent of any brand of Radicalism—in a landslide, and took office on August 9. Three weeks later President Johnson ended the first round of Reconstruction in Texas by declaring the insurrection at an end in the state.¹⁰

But the fight was far from over, as the conservative governor, legislature, and local appointed officials proceeded to institute their own versions of Reconstruction. It was ironic that Throckmorton, one of the most reluctant rebels in Texas, became the instrument of the conservative reaction against Hamilton's moderate Republicanism. Throckmorton had anticipated joining his former Unionist colleagues in governing the state after the war was over, and Hamilton had confidently told President Johnson late in July 1865, that "the Union men of the state are a unit." Nevertheless, shortly thereafter Throckmorton led the conservative Unionists out of the fledgling Union party when it quickly became apparent that Hamilton did not include former Confederates in his definition of "Union men."¹¹

As early as June, Throckmorton wrote Benjamin Epperson of his fear that "Radicalism will prevail in the federal [sic] councils" and that "none of our sort will be elected." An August trip to Austin, during which he met with Hamilton, Pease, James Bell, and other leading Unionists, confirmed Throckmorton's fears. "I saw and heard nothing at Austin calculated to cheer the patriot," he lamented, "or that would stimulate him to renewed exertion & sacrifice for his country." Before his visit to Austin, Throckmorton had hoped that the past would be forgotten and that normal relations between the states and the federal government would soon be restored. Unfortunately, he now believed, the new government would be formed "in a spirit of petty malice" by "that class of servile creatures who had not the courage to come out at first and exert themselves against Secession." Once "war was upon us," however, they "remained here & claimed protection of that people and government to whom they were traitors & enemies." Ironically, Throckmorton and other Confederate Unionists had refused to condone the persecution of such men during the war, and had acted as "the protectors of these curs who dodged service & did nothing but curse the Confederacy in their hearts."¹²

Epperson, Throckmorton's confidant and best friend, agreed with the former Confederate general and believed that conservatives had to begin shaping postwar society immediately after the shooting ended. As early as June 1865, he called for a meeting of Texas conservatives and wrote Throckmorton that "if Hamilton is military governor, he must be controlled—Now is the time to do it." He urged his conservative colleagues to "get control of the government and lead the public mind and not wait to be led by it." Even though Epperson briefly ran as E.M. Pease's running mate in the 1866 gubernatorial election—he quickly dropped off the ticket to avoid becoming too closely associated with the burgeoning Radical branch of the Texas Unionists—he was elected to the United States

Congress in the fall of 1866. By 1870, this former old-line Whig had aligned himself with the Democratic party.¹³

The suspected "copperhead" John Hancock, the antebellum Democrat and former recruiter for the Union army, joined the early defections from the Unionist coalition. Even while a refugee from Confederate persecution in New Orleans, Hancock had pondered the turn of events caused by the war in a rather wistful diary entry. The life-long Democrat found the jubilation following Lincoln's reelection in 1864 a "striking" contrast with the election of 1860. "Then to oppose slavery was not tolerated, and to have favored the election of Mr. Lincoln . . . would have been deemed a crime." Now, however, "abolitionism is boasted a merit, and Lincoln's election the subject of rejoicing." Hancock believed "there is much food for serious, yea sad reflection for all who really love the south," especially when they considered "the low order of men, morally, socially and intellectually who occupy places of authority." For a time, Hancock's seeming betrayal of the South, combined with his scrambling to avoid service in the Confederate army, encouraged neither the Conservatives nor the Republicans to trust his loyalty. He defeated Pease as the Travis County delegate to the 1866 Constitutional Convention by campaigning against Pease's "radicalism" on the race question, but failed in his race for the United States Senate in the same year. Like many moderate Unionists, his Unionism did not extend to wishing upon his southland a harsh reconstruction. In a speech in San Antonio late in 1865 he told his audience that "we should let the past bury the dead, seize the present, and calmly and dispassionately consider the future." In the same appearance he uttered his oft-quoted remark that he was about as likely to extend the vote to Negroes as he was to mules. That and similar statements apparently confirmed his Conservative credentials, and in 1871 he won election to the United States Congress as a Democrat.¹⁴

Unlike Hancock, Throckmorton came to the problems of Reconstruction as a former Confederate. Yet he reached similar conclusions in weighing the choices facing southerners. Despite his love for the old Union and the Whig party before the war, his four years of fighting Yankees had obviously deeply affected him. It was only natural that he suspected Hamilton from the beginning, as the provisional governor had worn the uniform of and been placed in office by the government that Throckmorton had come to despise. He joined many other southern conservatives who had not been secessionists before the war and had only reluctantly supported the Confederacy, but who, in stubbornly refusing to yield to northern radicalism, somewhat unnaturally went over to the side of the die-hard southern "rebels." It also angered him when other prewar Union-

ists attacked him for his reluctant decision to support the Confederacy. "It makes me feel bitter & almost like a devil," he wrote after his election as a delegate to the 1866 Constitutional Convention, "to think that I have spent a whole life in favor of the Union—that I sacrificed my peace of mind & property & left my family almost penniless & without help & risked my life in a cause I did not love or approve, in order that I could protect & be of service to just such men." And now, after all that, they questioned his loyalty. "D——mn them I say—I begin to despise and loathe them."¹⁵

Despite his bitterness, Throckmorton sought a rapid, painless restoration of Texas's rightful place in the Union, only a mild restructuring of southern race relations, and a magnanimity toward former Confederates. He also urged caution. A few months after assuming the governorship, he wrote that "never in the history of any people . . . was so much prudence and discretion required. . . . We must court harmony and good feeling." Nothing would be accomplished "by the bitter abuse of those who would oppress us." Throckmorton knew that practicing moderation would not be easy, however. To Epperson he railed during the Hamilton administration that the Unionists in power were "radical, bitterly and uncompromisingly proscriptive," and, in a rhetorical link to the antebellum long-ago, "just as revolutionary in their conduct . . . as the men who deposed [*sic*] Genl Houston." Rather than lubricating the machinery of restoration by forgetting old grudges, they sought to "keep up past issues—keep open old sores—and inflame old wounds that ought to be allowed to heal." Furthermore, this waving of the bloody shirt led these men to believe "that everybody who does not agree with them & endorse their policy is disloyal."¹⁶

The decidedly conservative state legislators elected with Throckmorton generated more than enough of the "disloyalty" predicted by Hamilton and his supporters. Their efforts to limit the political power of former Union men and to deny freedmen many basic liberties reflected the attitudes of most southern legislatures during Presidential Reconstruction.¹⁷

Throckmorton, who allegedly hung portraits of Robert E. Lee and Jefferson Davis in the executive mansion, favored these initiatives and, not surprisingly, found his own loyalty questioned. The Executive Colored Committee of Travis County, in a May 1867, letter to the governor, declared that "your whole action from the day you deserted the union cause, and took up arms against the United States Government to the present time has been one struggle against the loyal Sentiments in this State." A series of disagreements with federal military authorities regarding the protection of freedmen and Unionists and the prosecution of their attackers finally convinced Gen. Philip Sheridan, commanding the Fifth

Military District of Louisiana and Texas, to remove Throckmorton as an obstacle to reconstruction. The deposed governor doubtless had mixed emotions about losing such a difficult job; in a letter to his wife fairly early in his administration, he had complained "How miserable do we ourselves make life!" He wished that he had "been born under some other Star," rather than the one that had propelled him into public life. "Sometimes I almost wish the Radicals would turn me out," he wrote prophetically, "so that I could be a freeman once more."¹⁸

Throckmorton's freedom gave Texas Republicans a chance to make what had threatened to become a hollow military victory over the secessionists into a vindication for their own Reconstruction policies. One of their own, former governor E. M. Pease, took office for what turned out to be a two-year stint under the auspices of the three Reconstruction Acts passed by the Radical Congress between March and July of 1867. Contrary to the Republicans' early expectations, his administration would see the further fracturing of the Unionist coalition, as Republicans formed their own opinions on how they should respond to Congressional Reconstruction and exhibited varying ways of demonstrating their loyalty to the South. A. J. Hamilton had given the conservatives something to react against, James W. Throckmorton provided a foil for his increasingly radical opponents, and now E. M. Pease and his fellow moderates would force Republicans to make more choices about the future of Texas. The results would further polarize the conservatives and radicals in the state, as the actions of each party fed on the attitudes and hatreds of the other.

Perhaps nothing symbolized so well the divergent interpretations of the current state of Texas society than the loyalty-tinged debate over the issue of violence. Republican Unionists bitterly complained that the antebellum and wartime persecution of dissenters had continued beyond the end of formal hostilities. Conservatives, on the other hand, shrugged off such suggestions and claimed that Republicans were disloyally exaggerating the violence and the danger to which they were exposed for political reasons. No one seemed aware of the irony that Texans had made many of these same arguments during the 1860 slave "insurrection"; this time, however, the opinions and labels of "Radicals" and "Conservatives" were reversed.

The impetus to form a Texas Republican party stemmed partly from the Unionists' fear of Conservative retaliation against loyal men after the former came to power in 1866. The political and physical danger in which they and other Unionists found themselves—or in which they believed themselves—rubbed salt in the wound of losing control of the state government and no doubt awakened memories of prewar and wartime vigilance

committees. Determined to rebuild the state in ways consistent with their political views and ambitions, Union men had been concerned about the alarming retention of power by secessionists since the beginning of Hamilton's provisional administration. Thirty citizens from North Texas sent Hamilton an eight-page petition in September 1865, arguing that "it is political Suicide" to place in office secessionists who, "taxing their wits to their utmost tension," had attempted to "overthrow this great and glorious Union of liberty and equality." The authors of the petition asked Hamilton to investigate a number of appointments that, because of the political inclinations of the officials, "have given general dissatisfaction to the Union men of our section." S.J. Baldwin, who the rebels had banished from Texas in 1863, wrote from Houston two years later that former rebels were going about saying, "'when these god damned Yankee soldiers are gone we'll hang [Union men] as we ought to have done in the days of the Confederacy!'" Only military force, claimed Baldwin, could preserve the peace of the country and the lives of Union men. As if to prove the point, a letter to *Flake's Weekly Bulletin* in April 1866 told of the murder of a man in Jack County by a band of "rebel desperadoes, instruments of the [conservative] party," for the crime of demanding payment for a horse stolen while he was exiled during the war. "While I am writing," "M" penned despondently from Weatherford, "two of this party are riding through the streets, firing their pistols, inquiring and searching for Union men."¹⁹

A battery of witnesses testifying before the Congressional Joint Committee on Reconstruction confirmed these reports. Brig. Gen. W.E. Strong warned of a "fearful state of things" in Texas, where "gallant cavaliers," still displaying Confederate uniforms and guns, "would collect in groups and talk, in a tone particularly intended for our ears, of the deeds they had performed, and the number of Yankees they had slain." Maj. Gen. David S. Stanley observed during the summer of 1865, that former Confederate soldiers who served in the East had generally accepted their defeat, but those who had served far behind the lines in Texas "were insolent and overbearing where they dared to be . . . cursing the government and the Yankees." Another witness believed that no loyal man would be safe in Texas after federal troops were withdrawn. "Even now," testified Maj. Gen. George A. Custer, "there is no friendly feeling, and very little intercourse, between the loyal and the disloyal portion of the inhabitants." So great was the hostility, "a loyal man engaged in business receives no patronage except from loyal men." If the former secessionists "were left to themselves," an Austin Unionist told the committee, they "would seek to return to the old order of things, because they consider the present condition of things the greatest misfortune that has ever befallen them."

Another man declared in a letter to A.J. Hamilton "that I had as soon be in Hell as Texas."²⁰

Texas rivaled hell for at least some Texans, according to statistics compiled and submitted to Congress by Governor Pease's office early in 1868. His "message" alleged that outlaws had committed 411 mostly unsolved or unprosecuted assaults and murders during the previous year, and listed names, dates, and other pertinent details for many of the cases. The crimes ranged from two former Confederate majors shooting it out over "unsettled accounts and jealousy," to the whipping and hanging of Wade Hampton, a freedman accused of stealing a knife, to the shooting death of a former Confederate colonel by a Unionist revenue collector. Some of the victims were Unionists (although one Dallas County man shot and killed the rebel who had murdered his Unionist father during the war), a few crimes (twelve) were perpetrated by blacks upon whites, and forty concerned blacks committing one form of atrocity or another upon other blacks. Murders, beatings, assaults, or attempted assaults by white men on freedmen amounted to nearly half (188) of the cases.²¹

Pease wrote that while "there no longer exists here any organized resistance to the authority" of the federal government, "a large majority of the white population . . . are embittered against the government by their defeat in arms and loss of their slaves." They "consider the government now existing here, under the authority of the United States, as an usurpation upon their rights," and "look upon the enfranchisement of their late slaves and the disfranchisement of a portion of their own class as an act of insult and oppression." These attitudes, the "demoralization and impatience of restraint by civil authority that always follow the close of great civil wars," and the great distances involved in Texas had created a situation in which it was nearly impossible to enforce the law at any level. Pease therefore requested that federal military authorities be empowered to do "what experience has proved cannot be effectually done by the civil officers of Texas."²²

Despite evidence to the contrary, conservatives denied that desperadoes had overrun Texas, that the violence that did exist was politically motivated, or that the state needed federal aid to enforce the law. The *State Gazette* lambasted the "Pease Conspiracy" and expressed its surprise that "an old Texan" frequently honored by his fellow Texans could stoop so low. Apparently, the *Gazette* concluded, Pease "hated the people of Texas because, having found him to be an ingrate and a traitor to his benefactors, they rejected him over whelmingly" in the 1866 gubernatorial election. A convention of conservative delegates from twenty-one counties met in late July 1866, and resolved, among other things, that "a plot and conspiracy

are on foot, and being carried out by the Radicals of Texas, to falsify and defame the people of this state to the people of the Northeastern states." Stories leaking to the outside world of violence and intimidation gave northerners the mistaken impressions that Texans were "hostile to the Constitution and Government of the United States," "vindictive and violent towards Northern citizens and adherents to the Federal Union during the late war," and "unjust and oppressive towards the freedmen in our midst." Such slanderous, obviously political statements were meant to "inflame and embitter the North against Texas" and to encourage the federal government to institute a military regime in the South. Even the Republican Ferdinand Flake, of Galveston, doubted that the violence had any political overtones. "The war has educated a class of men into idleness and into a familiarity with deadly weapons," he wrote in his *Bulletin*, "that prompts them to resort to the revolver whenever it suits their drunken vagries [*sic*]." These men "care no more for the Confederate cause than they do for the Federal"; their "only desire is for a life of idleness, vice and plunder." Flake counseled his readers in a later editorial that statements exaggerating violence "prevent immigration, hinder our trade, destroy our good name, and mar our general prosperity. . . . Let us all refrain from sowing the seeds of discord and opening still wider the breach that wise patriots are striving to close."²³

Less moderate Union men found the political climate in Texas more discouraging and attributed the problem to a resurgence of southern radicalism, open disloyalty to the Union, and a throwback to antebellum vigilance. John L. Haynes reported to E. M. Pease, who was vacationing in New England, in October 1866, that the Texas legislature had passed a number of bills regulating the labor, self-defense, and travel of freedmen that would "reenslave the negroes." The Conservatives meant to prevent the election of Union men to any office, and had appointed judges who "vie with the Legislature in their hate of everything loyal to the government"; their courts were "nothing more nor less than rebel vigilance committees." Thomas H. DuVal wrote Pease that "the devilish spirit of secession is as defiant and hostile as ever," and wryly commented that the only entertainment to be found in Austin was the "occasional tableau, for the benefit of some Confederate general's widow or family." According to Morgan Hamilton, many "original union men" had gone over to the rebels because of the lack of action by the federal government, because the conservatives had finally overcome their resistance, or out of self-interest. "The sternest and strongest only," he wrote Pease, "have been able to weather the storm and keep the faith."²⁴

Convinced that they were in danger of losing the peace after winning

the catastrophic war for Union, Texas Unionists turned to the Republican Party as the safest vessel on which to weather the storm and to achieve their goals for reconstruction.²⁵ In formulating their response to the intransigence of Texas conservatives, Hamilton and his Unionist colleagues took their cue from the Radical Republicans who by the spring of 1867 controlled Congress. The Joint Committee on Reconstruction—although not dominated by Radicals—helped to inspire the new offensive against stubborn secessionists with the report it issued in 1866 containing the recommendations that would later surface in the Fourteenth Amendment to the Constitution. The committee suggested that the former Confederate states must not yet be allowed congressional representation, that adequate protection for loyal citizens of the South must be provided, that laws must be passed to provide for the equitable administration of civil rights, and that the government must take actions that would “fix a stigma upon [the] treason” of former Confederates.²⁶

A.J. Hamilton shared the northern Radicals’ disgust at the course of events in the South, and his strategy for attaining the goals of Union men was considerable toughened—the first of several shifts in his opinions—during the months after he left the governor’s office. Although he had always advocated basic civil rights for blacks, he had told the 1866 Constitutional Convention, “I thank God that this is a White man’s Government; and I humbly trust that the time will never come when it shall cease to be so.” By late in 1866, however, he could argue in a speech to the Boston Impartial Suffrage League that the freedmen had earned the right to vote with their wartime faithfulness to their masters and their postwar diligence, morality, and obedience of the law. Furthermore, if Reconstruction was to succeed and if former rebels were to be kept from permanently regaining control of southern state governments, the Republican party would have to mobilize black voters. Hamilton also insisted that military protection accompany the enfranchisement of blacks and that rebel leaders be punished; the latter’s seizure of state governments “clearly demonstrated” that at this time in the South “traitors only are . . . worthy of the public confidence.” Hamilton urged the president—who was rapidly losing the support of southern Unionists—to stop practicing partisan politics and to ignore the traitors surrounding him, and asked Congress to declare the former Confederate states once again out of the Union.²⁷

Although many Unionists would soon back away from black enfranchisement and Confederate disfranchisement, Hamilton’s words set the tone for the program of the Texas Republican party, which John L. Haynes, the party’s first state chairman, had instigated in April 1867. E.M. Pease, finally—and temporarily—accepting the Republican principle of black

suffrage, presided over the first state convention in Houston in July. One of the primary aims of the party was to recruit black voters, and to this end they formed secret Loyal Union Leagues all over the state. With the replacement of Throckmorton with Pease in late July, the Republicans seemed to have things going their way, as the new governor began removing Conservative officeholders and the Republicans planned a new constitutional convention that would implement their own vision of the future.²⁸

In February 1868, Texans elected delegates to their second constitutional convention in less than three years. The convention met in Austin from June 1 to August 31, and then again from early December to February 8, 1869. Contrary to the optimistic expectations of the new ruling party of Texas, its deliberations revealed deep fissures among the leading Republicans in the state. When push came to shove, many discovered that their loyalty to the South was stronger than their allegiance to the Union or to the Republican party, and that they could not condone the drastic measures their more radical colleagues suggested.

Controversies developed around almost every issue, ranging from whether or not former rebels should be disfranchised to whether Texas should be divided into two states by creating a stronghold for a loyal government in West Texas. The doctrine of *ab initio*, whereby all acts passed by the state legislature since 1861 would be nullified, caused perhaps the most bitter disagreement among the assembled Republicans. Old economic rivalries among the planter elite, West Texas farmers, and men who favored internal improvements and state aid for railroads complicated these feuds over Reconstruction issues. By the end of the convention at least two factions had crystallized: the Moderates, led by Governor Pease, James H. Bell, and A.J. Hamilton, who controlled the state party machinery, and the Radicals, led by E.J. Davis, James P. Newcomb, and Morgan Hamilton, who controlled the state's Union Leagues. Each faction formed its own Executive Committee, and in 1869 each sent its own delegation—each headed by one of the Hamiltons—to Washington to confer with President Grant. Clearly, the situation in Texas was far less simple than Newcomb's inexplicable 1871 comment that "we have no fence-straddlers [*sic*] in Texas—they are either Rebel or Republican."²⁹

Now that the Republicans were no longer a not-so-loyal opposition to the Conservatives, but the dominant party in the state, they could not content themselves with taking pot shots at Democratic policies and worrying about their personal safety. Rather, they now had to develop and implement their own solutions to the problems of Reconstruction. This process underscored the major divisions within their ranks. When it came time to write legislation, deal with sticky racial problems, and devise viable policies for rebuilding the state, they discovered the issue of loy-

alty—to the South or to the Union—cast a long, almost irresolvable shadow over every issue.

Between 1867 and 1874, a rash of defections plagued the “regular” Republican party, which accelerated during the Radical administration of Gov. Edmund Davis. E.M. Pease, always squeamish about building a party based on black votes, resigned the governorship in the summer of 1869 after the military removed many of his moderate appointees from office. Two years later, moving even further from his short-lived Radicalism, he led a taxpayers’ rebellion against the allegedly profligate spending of the Davis government. James Bell, A.J. Hamilton’s provisional secretary of state, opposed every major Radical program and returned to the Democratic fold. A.J. Hamilton, who represented to many Conservatives all that was evil in the Republican camp, eventually rejected the Radicals’ plans for Texas and, as a delegate to the 1868 Constitutional Convention, successfully led the fight against the disqualification of former Confederates. Even Morgan Hamilton, who was Pease’s Radical state comptroller and a United States senator under the Radicals, finally repudiated the Davis administration because of what he believed to be unnecessary spending, unwise support for railroads, and unfair patronage practices.³⁰

John L. Haynes proved to be the most unpredictable Republican in Texas; at different times he supported all three Republican governors. He chaired the Moderates’ state committee and worked against the disfranchisement of many rebel voters in order to attract a wider acceptance of the party among whites. Removed by President Grant—at the recommendation of E.J. Davis—from his sinecure as collector of customs at Galveston, Haynes lost to the Radical Republican Edward Degener in the 1869 Fourth District Congressional race, and a year later flirted with the Democrats in the Liberal Republican-Democrat fusion movement. He soon tired of the fusionists’ states’ rights platform, however, made an about-face, and turned to the Davis administration. Davis eventually rewarded the prodigal Republican by successfully recommending him for the collector of customs job at Brownsville.³¹

E.J. Davis and J.P. Newcomb headed the faction whose hard-nosed approaches to Reconstruction and to loyalty turned away so many Republicans. Newcomb, the former editor of the antisecessionist *San Antonio Alamo Express*, returned to Texas from his vigilante-inspired California exile in the late summer of 1867. He longed to help build a “government of the people . . . not a loose disjointed concern that can neither enforce its laws or protect its citizens at home or abroad,” but a “stern unflinching just pure government that will not tolerate insult or contempt from a foreign foe or domestic enemy.” Newcomb prophesied that “the avenging hand of God cannot long be stayed. . . . Justice will begin its reign, and peace will

follow." The newspaperman served as secretary of state under the Radical governor E. J. Davis and managed the black-dominated Union Leagues, which provided much of the electoral support for the Radicals in Texas.³²

Davis became Newcomb's avenging angel by winning the gubernatorial election in November 1869. He had assumed the leadership of the Texas Radicals when he chaired the 1868 constitutional convention and manipulated parliamentary procedure in an attempt to ensure passage of the Radical program. His election in November 1869, assured the Radicals—for which he became the hated symbol in Texas—of four years in which to work their magic on what they considered a still largely disloyal state.³³

Although Conservatives spent much time and ink blasting the Republicans—the *Texas Republican*, for instance, called southerners who cooperated with northern Radicals "the most mean, dispicable, and licentious depraved character of humanity that can be well conceived"—the steadily unraveling Republican party self-destructed in an orgy of infighting, personal attacks, and violent factionalism. On the floor of the 1868–1869 Constitutional Convention, controversies had erupted into at least four fistfights, with James P. Newcomb and George Ruby, the leading black delegate, among the combatants. Radicals often complained about "Haynes and his gang," or the "Bell & Haynes crowd," and Newcomb attacked the South Texas Republican for having come too slowly to the support of Congress because he feared it would cost him his position in the federal bureaucracy. "Haynes is certainly a diplomat," Newcomb wrote in an editorial, but "we want manliness and patriotism." Haynes countered by accusing the Radicals of being "unscrupulous in the use of means," and called their 1869 convention "a slim attendance of soreheads." The former Union colonel never refrained from bringing up his own Unionist credentials. In a letter to James P. Newcomb he accused rival Morgan Hamilton of "toasting his shins before a good fire . . . whilst I was in camp with my Regiment." Haynes did not "admit the right of these gentlemen to question my loyalty at all, and when they presume to do so, they are guilty of an impertinence."³⁴

Impertinent or not, the Radicals eagerly cast aspersions on the loyalty and motivations of their erstwhile colleagues with all the fervor with which Confederates had attacked suspiciously unenthusiastic neighbors during the war. One of Haynes's fellow Union veterans, A. J. Hamilton, endured a hefty share of the Radicals' abuse. George Rives suggested to Newcomb that it would be "extremely damaging" to Hamilton's 1869 gubernatorial campaign if the Radicals would "publish to the World . . . that all the out-and-out Rebel Ku-Klux papers in the State are supporting Hamilton," while A. J. Burnett offered for publication his story of a very drunken and

boisterous Hamilton and his “revolutionary crowd” during the final days of the 1868–1869 Constitutional Convention. A Union League circular during the 1869 election blasted the campaign of “our rebel, so-called Conservative, enemies under the leadership of the apostate, ex-military Governor A.J. Hamilton,” and made it the duty of members to vote for “an honored brother, the soldier, hero, and statesman, General E.J. Davis, for Governor.” Editor Newcomb asked what Hamilton had “ever done deserving the name of patriot or statesman? . . . A demagogue from the beginning [*sic*] and he will remain one to the end of the chapter.”³⁵

Threats to the Republican party stemmed from Democratic infiltration of local party organizations and from the less-than-loyal opportunism of other members. “The Republican party of Texas,” declared H.C. Manning in an 1870 letter to James Newcomb, “is full of Time Servers traitors and disorganizers persons who care not what becomes of it so they can get place and profit.” The postmaster, district clerk, and sheriff of McLennan County called themselves Republicans but, according to a self-proclaimed “Ex Rebel Republican,” refused to cooperate with the party and were, “actual incumbrance [*sic*] & dead weight to us.” Calvert County’s “loyal people” had “much to suffer, owing to the incursions of the rebels into the Republican ranks,” and a regular party member in Fayette County attended a local meeting of the “white portion of Republicans,” but “at times could not determine its political complexion—it was so much like a Democratic assemblage” in “its denunciation of *every* and *all* State measures.” Even the state office of the Union League acknowledged the difficulty facing local Republicans when in an 1871 circular it cried “Brothers, rally! We have enemies without, spies and traitors within.”³⁶

Some men recognized the danger in the ruthlessness with which Republicans assailed one another. George C. Rives interrupted his own barrage of rhetorical barbs to write that he was “sick at heart & in despair” at the state of the Republican party in Texas. “For Gods [*sic*] sake,” he demanded of Newcomb during the 1869 campaign, “tell me the difference between the Jack Hamilton party & our party . . . the only difference is who shall have the ‘loaves & fishes’ of office—There is no issue between Jack Hamilton & Davis or the rebels that I can see.” “Our situation,” J.G. Tracy told Newcomb in the spring of 1872, “is truly unfortunate. We ought all to be friends, working for the same great object . . . but instead we find many at sword points, hating each other worse than we do the Democrats.” Newcomb seemed less worried, however. He declared in the *San Antonio Express* that men who complained about extremists on “both sides,” who sought the middle, were “the lowest class of trimmers” and “traitor[s].”³⁷

The Democrats delighted in the suicidal tendencies of the Republicans. “How pleasant ’tis to see,” a piece of Democratic doggeral began,

"The rads all disagree / Each in his proper station move, / And each the other rascal prove." The *Democratic Statesman* reported happily that "escaped convicts, noted thieves and sneaking pickpockets," are the epithets being applied by the belligerent radicals of this State to each other."³⁸

Not surprisingly, Davis's election in November 1869, failed to end the fighting among the various groups of Republicans in Texas. Rather, the policies pursued by the Radical state government strengthened the Democrats and alienated even more Republican dissidents, as many white Republicans seemed to swing into the camp of Hamilton's moderates. A number of factors led to the decline of the Davis faction. White Texans identified it too closely with the black voters in the state, a perception strengthened by the hated state police, which, despite its generally adequate restoration of order, could not overcome the fact that the former slave population furnished many of its recruits. His enemies also attacked Davis for financing railroad development and a public school system, and there was always the federal military presence in Texas to castigate, despite its less-than-tyrannical administration by the early 1870s.³⁹

By 1871, surviving Republicans had much more to worry about than the treachery of their former allies, as the Democrats mobilized to overthrow the "nondescript despotism" represented by E. J. Davis. The inaugural issue of the *Austin Democratic Statesman*, a party organ that went to press in July 1871, called loyal southerners to arms against the Republican program, which had tried "to belabor [the South] with the outrages and indignities of its brutal soldiery, with political disabilities, with defamation and contumely, with violence to their social life, with the mockery of republican government without representation, and with the horrid rule of a service race instructed in demoniac oppression by the basest scurf and offscourings of its myrmions." In order to "save the State and the people" the *Statesman* asked that "each man be a patriot and sacrifice on the altar of his country . . . his own private personal advancements." Democrats—including John Hancock in the Fourth District—seized all four of the state's Congressional seats at the October election.⁴⁰

The disastrous Congressional election marked the beginning of the end for Radical Reconstruction in Texas, as race once again plagued the Republican party. All Radicals must have winced when a *Gilmer Sentinel* writer called a Radical "a thing that would / Be a nigger if he could." Consequently, in the 1872 state elections the besieged Radicals tried to attract white voters by trimming the budget and downplaying the campaign for law and order, but rather than gaining strength among whites, the administration undercut its support among blacks, who feared the loss of their influence with the party of emancipation. State Senator Matt

Gaines, a freedman, accused the Radicals of caring little for blacks, although "they set themselves up as the BIG GODS of the negroes," expecting "worship, offices, money and power from us, while deep down in their hearts they hate and despise us." Blacks rarely received patronage, Gaines argued. "They treat us as bad as . . . the worst Democrats, and yet they call themselves our friends."⁴¹

The rapid unraveling of the Republican party allowed the Democrats to "redeem" the legislature in 1872 and recapture the governor's office in 1873 by a margin of two to one. The *Democratic Statesman* rejoiced when the legislature arrived in Austin in early 1873. "For six years Texas has had no legislature that represented the people of the State," it declared. "For six years tyranny, fraud, corruption and villainy in high and low places have held a saturnalia of vice." Texans had "patiently submitted to robbery and insult, hoping for the day when the people's true representatives would again assemble in the Capitol of the State." Now, "our patience, long suffering and forbearance under great provocations are bearing their good fruit." The *Statesman* claimed with a certainty characteristic of newspapers of the time that "it is not too much to affirm that no Legislature that has ever assembled in this State has had so many men of ability as that which is about to throttle Radicalism and restore the government to its old time purity."⁴²

When the Democratic governor, the Confederate veteran Richard Coke, took office after Davis's quixotic legal and military defense of the state capitol, Reconstruction in Texas finally ended. The *Dallas Herald* announced that "the tyrant's chains have fallen from [Texans'] limbs. . . . The storm has spent its force—the clouds have lifted—and the sun of peace, liberty and good government is risen to shed his benign light over us as a people." Republican governments collapsed all over the South; in Texas, the once significant and confident Unionist coalition had been reduced to a small core of stubborn Radicals without influence or, after 1874, office. A year later, yet another Constitutional Convention erased Radicalism from Texas by writing an inflexible and highly detailed document that limited the power, terms of office, and salaries of government officials. For many decades afterward, the Republican party, with only one-fourth of the state's voters, was reduced to negotiating with third parties, fighting over federal patronage, and wrestling with the question of whether its black majority should be allowed to control the party.⁴³

Ethnic Texans continued to occupy uneasy positions in Texas politics and society during Reconstruction. The temporary readjustment of the power structure in Texas failed to change the status of the German and Hispanic elements of the population. By the end of Reconstruction,

bruised by their wartime persecution and by the political reverses of the early 1870s, they generally receded into the background and picked up their lives where they had been interrupted by the war. Nevertheless, many members of the second and third largest ethnic groups in Texas continued to dissent from southern values during the postwar period, and Anglos continued to look upon them with suspicion, often measuring their worth in terms of which party they chose to support.

Many Germans, especially those in West Texas, joined the Republican party during Reconstruction. Edward Degener, now a leader of San Antonio's Germans, announced to E.M. Pease in 1866 that his city's Germans had all voted the Republican ticket, and the Joint Committee on Reconstruction learned from a Union general who had been stationed in Texas that the Germans had remained loyal to the United States and were, in fact, "radical; they go beyond the Americans in Union sentiment vastly." Only Germans seemed disposed "to treat the freedpeople kindly" in Bastrop County, according to an 1867 Freedmen's Bureau report, and the *Democratic Statesman* chided Texas Germans for "duly obey[ing] the great Radical darkey" Matt Gaines.⁴⁴

Several Germans labored valiantly for the Radical cause in Texas, providing for conservative Anglos evidence of the "unreliability" of all German Texans. August Siemering, through the columns of the *Freie Presse Feur Texas* in San Antonio, celebrated the emancipation of the slaves and claimed that the German population had been solidly Unionist during the war. Degener, who the San Antonio Military Commission had convicted of disloyalty in 1862, was perhaps the best-known German Radical. As a member of the committee studying black suffrage, he submitted a minority report to the 1866 Constitutional Convention that justified extending the vote to freedmen on constitutional, moral, political, and historical grounds. "Let us . . . learn wisdom from the past," he wrote, "and without compulsion from any quarter, cheerfully accord to our own freedmen, rights and privileges, long unjustly withheld, thus insuring our peace and prosperity, and their gratitude and friendship forever more." Three years later he defeated John Haynes in a close race for Congress, where he served a single term. Jacob Kuechler of Gillespie County—also tried by the Military Commission—became a Radical delegate to the 1868 Constitutional Convention and later served as Davis's controversial Commissioner of the General Land Office. Because of the publicity given to these men and to the wartime disloyalty and persecution of Germans in Texas, the stereotype of an overwhelmingly Radical Germanic population in the state prevailed in the North, and former Confederates in Texas frequently considered them unreliable and disloyal.⁴⁵

In truth, most German-Texans were not so radical. Matt Gaines

angered Germans when he scolded them for not cooperating with blacks; apparently he was disappointed that the two groups could not cooperate more closely. A Freedmen's Bureau official reported that Llano County Germans, despite their wartime Unionism, steadfastly opposed granting suffrage to blacks. Louis Constant complained that many Austin County Germans, many of whom had voted against secession and suffered persecution at the hands of vigilant rebels, had after the war fallen under the influence of the secessionists. Constant attributed this to the fact that the German element of this southeastern Texas county "came from an environment, where the word 'Liberty' towards their superiors would have been punished." In addition, "we had here some 'so-called Unionists', who, during the rebellion spied on their people, and even now fulfill the orders of their old masters when they try to oppose all valuable suggestions, and to smear the outstanding men." As a result, the "masses had been lulled down," and unrepentant rebels controlled the local offices.⁴⁶

Ferdinand Flake, an ardent prewar Unionist and editor of *Flake's Bulletin* in Galveston, represented the moderation of many Republicans and Germans. At the same time that he wrote that secession was, "in theological language, original sin," he dismissed the work of the Freedmen's Bureau as an "anomalous affair" and opposed granting suffrage to freedmen because "we do not think them qualified to exercise it discreetly." Many other Republicans joined Flake in this mixture of Radical rhetoric and conservative racial philosophy. The Galveston editor summarized the moderates' overriding hope for an early Reconstruction in his Christmas meditation for 1866. Inspired by the season, Flake wrote that "All that we need is peace and faith. . . . It is said that love begets love, and faith begets faith." The common men of both the North and the South were tired of war. "We think," opined Flake optimistically, "the dawn of a lasting peace not far distant—a day when the whole nation will not only be united in one government, but be a band of brothers, each supporting and supported by the other." Flake's refusal to support Radical Republican policies earned him an invitation to leave the party in the late 1860s.⁴⁷

In other parts of the state, Democratic Germans opposed the Republican party for a variety of reasons. Germans in West Texas complained of their unmet demands for frontier protection; the bloc voting of black Republicans angered Germans along the Gulf coast; friction with United States troops occupying the state—a common complaint all over the South—disturbed Fayette County Germans; while others joined the Democrats in opposing the spendthrift Davis government and the state police organization. Competition among Germans, blacks, and Anglos for party patronage antagonized all three groups. By the early 1870s, even Degener had fallen out with the Davis administration.⁴⁸

A document issued in 1873 reveals what may have been the attitudes of a good many Germans in Texas. A public meeting in La Grange, Fayette County, called for the organization of a "People's Movement"—its similarity to the Populism of the 1890s went beyond its name—that would replace the old parties that had thus far been useless in reconstructing Texas. Following such a terrible war, "the people should have joined as freedmen to co-operate in the great and glorious work of building up again what the war had mutilated or destroyed." This was not to be; "how disgraceful is the struggle in which the politicians of the two parties were engaged since the war." Corruption, the unfair influence of monopolies and corporations, and the dominance of "carpet baggers and political adventures" plagued the people of Texas. Both major parties contributed to the problem. The Republicans "wage war upon the people and upon our free institutions," while the Democratic party had become "a negative, a mere opposition party, too feeble, without vitality." As a result, the public meeting resolved to choose the best and wisest leaders from among the Republicans and Democrats, and form a new "people's party" based on a platform that ignored racial issues but called for a strict construction of the Constitution, the "repression" of the influence of business on government, the reform of education, law enforcement, and the civil service, and the mitigation of "public excitement and partisan spirit" that currently dominated the government.⁴⁹

Enthusiasm for the Republican party, therefore, dwindled among Germans just as it had among other Texans as Reconstruction ground to its conclusion in 1873. Edward Degener lost his seat in Congress to the Democrat John Hancock in 1871, and other Radical Germans lost their jobs or jettisoned their Radicalism during the next two years. Nevertheless, Germans remained in the party in far greater numbers than other Texans, and many of the latter continued to harbor long-nurtured suspicions about the loyalty of Germans. Just as the minority of liberal Germans—such as those who had issued the infamous 1854 San Antonio platform or the men who had resisted conscription in West Texas—had poisoned the minds of Texans against the rest of their countrymen in the 1850s and during the war, the Radical element among German-Texans during Reconstruction came to dominate the public impression of this largely conservative ethnic group. Consequently, nondissenting Germans continued to pay for the political sins of the liberals after the war, just as they had before and during it.⁵⁰

The social and political relationships between Hispanics and Texans following the war duplicated the distrust and hatred of the antebellum period. Mexican-Americans were as pragmatic during Reconstruction as they had been during the Civil War, and former Confederates and Union-

ists both resented the Mexican-Americans' lack of enthusiasm for their respective causes. Radicals could count on tejanos in El Paso to vote the Republican ticket, and many northern Republicans believed that the Hispanic population was as loyal as the supposedly Unionist Germans. San Antonio Mexicans, however, split their vote between the Democrats and the Republicans, while Rio Grande Valley Republicans—led by Governor Davis—could count on the support of Hispanic voters. The Democrats disingenuously appealed to the tejanos on the basis of race, and convinced many that their best interests lay with their fellow white men rather than with the freedmen. A few Radical leaders among the Mexicans accepted black suffrage wholeheartedly and advocated the Republican program for Reconstruction.⁵¹

Of course, with few exceptions, Hispanics had no more at stake in the political or economic systems of Texas during Reconstruction than they had ever had, and few of them took the arguments of the Anglo politicians seriously. The leading tejano secessionist and Confederate officer, Santos Benavides, served as a conservative state legislator from 1879 to 1884, and Mexican-Americans frequently served in city and county offices in San Antonio and in South and West Texas. Most others, however, continued the pragmatic participation in politics that many of them had practiced during the antebellum period, as the force of numbers and illiteracy prevented them from undertaking any sort of independent political action. The "Red" and "Blue" parties in Brownsville both "voted the Mexicans" during the last third of the nineteenth century. On the day before an election, Hispanics from both sides of the border would be rounded up, "corraled," and given food and mescal. The next day they were ushered to the balloting place, where they picked up the appropriate ballot at one table and a silver dollar from a Red or Blue representative at the next. One San Antonio Radical complained that the secessionists had marched the "Mexican rabble" to the polls where they sold their votes "to the highest bidder." James Newcomb could hardly approve of such widespread Hispanic support of the Democratic party, but he did ironically suggest that "if we can find an honest, competent Mexican we can easily command him and will find them glad to go with us."⁵²

In 1871, John L. Haynes, long a liaison between the Anglo and Mexican interests in Texas, published a letter in Spanish to the tejano voters of the Rio Grande Valley in which he urged them to organize into Republican clubs in order to ensure their best representation in the Texas legislature and in the federal government. He promoted the candidacy of Edward Degener for Congress—Haynes's victorious opponent in 1869 for the same Congressional slot—against John Hancock, the former Know-Nothing who still had not renounced his membership in that "barbarous

and cruel party." During the remainder of the nineteenth and into the twentieth century, however, Mexican-Texans were known more for their vulnerability to manipulation by Anglo political bosses than they were for their allegiance to any particular party.⁵³

More important to most Mexicans were the economic exploitation and bloodshed that shaped their dealings with Anglos. The chronic violence in the state during Reconstruction, combined with the unsettled conditions along the western and southern frontiers of Texas, created a situation in which tejanos had to talk softly and try to stay out of the way of their Anglo neighbors. Predictably, however, many Mexicans ran afoul of white vigilante injustice. Texas Rangers, law officers, and civilians all blamed Mexicans for murders, rapes, rustling, and sundry other crimes in South and Central Texas. In the 1870s, for example, whites indiscriminately killed over forty Mexican-Texans after an unknown assailant murdered an unpopular local rancher. Whites living along the border often suspected Hispanics of plotting raids on Anglo towns or other crimes against the state, and the discovery of these "conspiracies" always created a quickly satisfied demand for doses of prophylactic lynch law. An army officer reported during this period that "there is a considerable Texas element in the country bordering on the Nueces that think the killing of a Mexican no crime," and a significant body of "Mexican thieves and cut-throats who . . . think the killing of a Texan something to be proud of." Any sort of eruption in the volatile politics of Mexico alarmed Texans living along the border and caused them to suspect the loyalty of the tejanos among them; the outbreak of the Spanish-American war in 1898 recalled the "subversion" practiced by Mexicans during the Civil War, and Texans watched the actions of their neighbors closely as the heritage of racial antagonism between these two ethnic groups continued to taint their relationship.⁵⁴

As the climax of the sectional conflict, Reconstruction had narrowed the bounds of acceptable political and social behavior in Texas. The *Dallas Herald* compared men who refused to subscribe to what by 1873 had become the views of an overwhelming majority of voting Texans to "the locusts of Egypt, Judas, Benedict Arnold, the Santa Fe traitor, William P. Lewis, and all the other characters who have afflicted countries in past times."⁵⁵

Men who had opposed radical states' rights stands and secession, men who had gone so far as to flee the state during the war and even fight against the Confederacy, now joined the most faithful rebels in rejoicing over the impotence of the Republican party in Texas and in the preservation of the values and social structure of the South. Many merely found themselves instinctively protecting their state and region from what they

believed to be outside influences, while others could not tolerate the way that Unionism and loyalty as defined by the Yankee Congress and local Republicans had come to include support for programs unpalatable to them. For men such as E. L. Dohoney, the proscription and opportunism they had detested in the state Democratic party of the 1850s had surfaced in the Republican party of the 1870s. Although Dohoney, a Democrat, had fought strenuously against secession and opposed slavery before the war, he had served his state in the Confederate army. After the war, still a Democrat, he favored the Thirteenth and Fifteenth Amendments for pragmatic reasons and won election to the state senate in 1869, with support from moderate Republicans. There he opposed the Radicals, who “precipitated upon the State” the state police, martial law, expensive schools, “and other equally obnoxious measures.” Dohoney’s seemingly contradictory devotion to the Union and hatred of Republican policies stemmed from his opposition to despotism perpetrated by any political party.⁵⁶

Some Texans did remain in the Republican party, and not all dissenters turned their backs on the past. Blacks obviously had no other realistic political choice than to vote Republican—despite Democratic attempts to woo them into the Democratic fold—and many Germans, especially in the culturally isolated counties in the Texas hill country west of Austin, stubbornly clung to the principles and the party of reform. Republican leaders such as James P. Newcomb, E. J. Davis, John L. Haynes, and Thomas H. DuVal, remained constant out of loyalty, but also because their livelihoods—as state or federal Republican appointees—depended on it. No doubt many local leaders and rank-and-file members continued their membership in the party because it provided the only means of organized opposition to the party in power.

The bottom line for many of those southerners who remained or became Democrats during Reconstruction was, of course, race. Historians have argued for over half a century that the primary unifying factor for white southerners was the doctrine of “White Supremacy.” The resurgence of the Democratic party and decline of the Republican party—in the South and in Texas—was due to a large extent to the unwillingness of most whites, even the most dedicated dissenters, to grant blacks full social and political equality. As a result, the southern branch of the Democratic party attracted a heterogeneous mix of representatives of a number of political persuasions, not so much because of its minimalist, agrarian policies, but because it served as an umbrella organization for those diverse segments of the white political community who could at least agree on the need for whites to retain their traditional racial supremacy. On the other hand, northern Republicans practically forced most of their ostensi-

ble southern allies into the arms of the Democrats with their racial policies, their economic ideology, and their “bloody shirt” campaign tactics. By the end of Reconstruction, too loyal to their race and their region to remain Republicans, most white antebellum and even Reconstruction dissenters had returned to the mainstream of Texas politics and society.⁵⁷

Black Texans during Reconstruction

The Civil War and Reconstruction changed the lives of black Texans forever. Unfortunately for them, however, their futures lay largely in the hands of whites, who were at first hopelessly divided over what they should “do with” the newly freed blacks.¹ Their own expectations and ambitions heavily influenced how they would respond to black demands and needs. Surprisingly, one of the most generous attitudes expressed by a white Texan came from a Confederate veteran of the desperate fighting in the East. During his postsurrender trek back to Live Oak County, Capt. Samuel T. Foster encountered a group of black children on their way to school. “Such a thing [n]ever cross[ed] my mind,” he wrote in his diary. He stopped a twelve-year-old girl and tested her briefly on reading and arithmetic. Despite her giggling—no doubt she had hardly expected a quiz from a ragged Confederate soldier so early in the day—she answered his questions quite satisfactorily. “I never was more surprised in my life!” exclaimed Foster, “the idea was new to me.” In camp that evening, Foster envisioned black and white children receiving equal educations and competing as doctors, lawyers, teachers, and merchants. “The smartest man will succeed without regard to his color. . . . Our children will have to contend for the honors in life against the negro in the future.” “Perhaps,” Foster wondered on another occasion, “we were wrong, and . . . the negroes ought to have been freed at the start.”²

No doubt many freedmen envisioned just such a society of good will, free competition, and merit-based progress. If all whites had shared Foster’s at least temporarily open-minded approach to the restructuring of southern society, Reconstruction would have been much less violent. Of course, events followed a drastically different course. George W. Paschal, one of Austin’s most prominent Unionists, revealed just how difficult it would be to reconstruct the racial attitudes of even supposedly sympathetic Texans. After a war in which he had suffered slander and poverty, had

been arrested for his Union views and, ironically, had been labeled an "abolitionist," Paschal welcomed the United States troops entering the capital in July 1865, with a speech that foreshadowed the future of the several hundred freedmen in his audience. Paschal reminded them that freedom was not, contrary to what he believed most of them thought, "like heaven to the poor woman—a place where there is a great deal of singing and nothing to do." He told them that they would "have to pay the doctors to kill you, and the sextons to bury you, just as white people do." The freedmen would now be penalized for their "cursed awkwardness and carelessness, which have generally ruined your masters." He finished by telling his black listeners to "go to your homes, and make your arrangements to do better work for less pay."³

Paschal's version of what would probably happen to blacks—at least the attitude toward blacks it demonstrated—came much closer to reality than Foster's. Yet, it took several years of bitter political debate, frequent confrontations, and occasional magical hints of what could have been, before blacks had been forced into their "proper" roles in society. Their Reconstruction experience differed from those of the other major non-Anglo ethnic groups in Texas. The Germans and Hispanics, bruised by their wartime persecution, receded into the background and generally picked up their lives where they had been interrupted by the war. Blacks, on the other hand, became the center of attention in ways they had never been, even during the 1860 "insurrection" scare. Now, however, they were not feared as belligerent or even dangerous slaves, but as economic competitors and political rivals—roles unthinkable to most white southerners before 1865. Most of the political, economic, and social issues that contributed to the partisanship and violence of Reconstruction revolved around the freedmen and the arguments over how they should be integrated into the postwar South. The fights over the freedmen's rights to the franchise and to economic and civil equality fueled Reconstruction politics; internal disagreements over the status of blacks contributed to the eventual ruin of the state's Republican party and allowed the resurrected Democratic party to "redeem" Texas.

Blacks often ignored Paschal's conservative advice and challenged the status quo throughout the Reconstruction period. Their efforts to live independently sparked controversy when they became entangled in the forlorn attempts of other dissenters to break free from southern orthodoxy. At the most basic level, black freedom itself threatened most whites, who shuddered at the thought of sharing civil and economic rights with a race that they had long held in physical and ideological bondage. In the political arena, the definition of loyalty to the South and to Texas partially hinged on one's stance in regard to the former slave population. The

destruction of an effective Republican party in Texas owed much to the inability of most Texas Republicans, even the most determined Union men, to forsake their region and their race. Finally, white conservatives alternately loathed and courted their black "friends," swearing vehemently that they would amount to no good while at the same time attempting to win their votes for the Democratic party. As a result, the whites' definition of black loyalty acquired a new political dimension, as the freedmen emerged from their roles as shadowy, potentially dangerous participants in the sectional crisis into the spotlight of Reconstruction politics.

Whites retained old patterns of race relations and vigilance, and blacks had to contend with the fact that most whites measured their worth against a simple standard: how willing they were to accept an inferior status that retained many characteristics of the antebellum status quo. Just as whites had expected their slaves to remain loyal during the war (while at the same time fearing the consequences if they did not), during Reconstruction, whites encouraged, goaded, and intimidated blacks into behaving as closely as possible to the obedient and manageable plantation stereotype. When blacks failed to submit to these restrictions, whites struck with all the suddenness and violence of the old vigilance committees. Conservatives interpreted the blacks' efforts to live free lives as a sign that the freedmen needed to be reminded of where their loyalties ought to lie. Texas freedmen also played a vital role in the issue of white loyalty during Reconstruction. Both Conservatives and Republicans sought the blacks' help in establishing once and for all whether loyalty to the United States or to the South would predominate in Texas. At the same time, whites had to make personal decisions about loyalty, and their attitudes about what place blacks should occupy in Texas society were often a function of where they chose to place their allegiance.

The scene occurred, with some variations, all over the South. The master called his remaining slaves to the big house and announced the most important news they would ever hear: they were free. In Texas, the process began on June 19, 1865—"Juneteenth" forever after—when the general commanding the District of Texas, issued General Order Number Three, which declared that "all slaves are free." It went on to state that "this involved an absolute equality of rights and rights of property between former masters and slaves"; their relationship now "becomes that between employer and free laborer." The order also advised freedmen to remain at their present homes, working for wages. "They will not," it announced, "be allowed to collect at military posts" nor "be supported in idleness" by the government.⁴

Strict reminders of the limits of government generosity meant far less to suddenly free men and women than the news that their long bondage had ended. As the word slowly filtered out through the settled southeastern portion of Texas and into the frontiers of North and West Texas, slaveowners grimly gave up their bondsmen. A Goliad County slaveowner held his slaves for another month, but abruptly released them after a stern warning from federal soldiers. Steve Williams remembered, "he come out and he say, 'You all git, I mean git from here!'" Jacob Branch recalled many years later that "Massa Tucker brung de freedom papers and read dem. He say us all am free as Hell." According to one of his former slaves, Travis County's Tom Washington read from "de big paper" and said "you is free to live and free to die and free to go to de devil, if you wants to."⁵

Slaves greeted freedom with a wide range of emotions, but most relished their freedom and immediately began expanding their worlds and multiplying their prerogatives. Frank Adams overheard one fellow exclaim how he would exert his new freedom in perhaps the most basic way: "Don' know w'at I's gwinter do," he cried, "but I know one t'ing, I's gwine git 'nuf sleep fo' onct." Seventeen-year-old Isom Norris made good on a wartime vow he had made to "Little Massa Joe," his owner's son and Isom's boyhood friend. One day toward the end of the war, Joe had told him, "you is goin' to be free as I is wen de war is over." Isom doubted it, but jokingly boasted that "if I gits to be free as you is, de fus' thing I'se goin' to do is give you a whipping." When the day of freedom came, "De fus' thing I 'new I jumped right straddle of Little Massa Joe, and threw him down and give him a few licks wid my fist. Den I sed, 'you 'members what I tol' you?'" Joe "tuk it as a big joke, and did not do a thing to me, but he laughed at me gettin' so happy cause I wus free as he wus."⁶

Some freedmen stretched their horizons and their souls by leaving the only homes and lives they had known. Susan Ross's oldest brother, upon hearing that he was free, "give a whoop, run and jump a high fence, and told mammy good bye. Den he grab me up and hug and kiss me and say 'Brother gone, don't 'spect you ever see me no more.' I don't know where he go," Susan said long afterwards, "but I never did see him 'gain." One former slave remembered that, although he and his fellow bondsmen could have stayed on their old plantation, "dare didn't none of us stayed. . . . Why de niggahs dey just scatter like quails dey goes in every dereckshun, and none of dem knows what dey is goin, dey was jus goin dats all." The *Southern Intelligencer* commented on the number of blacks moving about after the war. The "predominate" trait of blacks in the months following emancipation, it observed, was their "desire to 'go somewhere.'" Many Bastrop freedmen headed thirty miles west to Aus-

tin, where "they expect to get high prices for labor . . . see a heap of people . . . hear the band that brays the best music . . . [and] above all . . . meet and shake hands with '*Massa Jack, the Governor and the Government*.'" Blacks moved in great numbers to Galveston, San Antonio, and Houston—where nearly 40 percent of the population was black five years after the war—and founded at least thirty-nine all-black communities by the 1870s.⁷

Despite their propensity to take to the road immediately after emancipation, many former slaves eventually returned or settled fairly close to their old homes; there was no massive population shift from one part of the state to another between the end of the war and 1870. Some gratefully continued working for their former owners for wages or for a share of the crops. Hannah Jameson, for instance, realistically stayed on her master's plantation because "when surrender broke, you could tie all a Nigger family had in a bed sheet. They had nothing 'cept a house full of Niggers and no where to go." Slaves who had been fond of their masters often stayed until they could buy homes nearby. Even some of the blacks who moved far away struggled to retain old ties. Theresa Moore moved with her husband from central Texas to a West Texas farm after the war, but in 1869 she wrote to her old mistress, Mary Polley, scolding her for not writing and asking for news about friends and family members, white and black. Theresa promised that she would soon come for a visit and extended an open invitation for anyone in the Polley family to visit her. "Mistress," Theresa pleaded at the end of her letter, "please answer my letter right away for it is almost a year since I have heard a word from home and I do want to hear from you all so bad."⁸

No matter how close to their slave lives they remained physically, freedmen eagerly sought the education that they believed would help them get ahead in a white man's world. "Nearly every darkey in town has got a primer or spelling book," the *Southern Intelligencer* reported condescendingly, "and gone to work learning to spell." Lucadia Pease wrote from Austin that "I meet the darkies every day in the street with their books and slates, and they seem to be very proud of the opportunaty [*sic*] to attend school." During the five years that the Freedmen's Bureau administered schools in Texas, over twenty thousand blacks learned at least rudimentary reading and writing skills. Bureau schools encountered many obstacles, ranging from white opposition and book, building, and teacher shortages, to a severe yellow fever outbreak in the summer of 1867. Furthermore, few freedmen could afford the fifty-cent a month tuition charged after March 1867. The bureau's best year was its last; in 1870, it reported sixty-six schools in Texas (with forty-three of them owned by freedmen), 3,248

students, and sixty-three teachers (including twenty-seven blacks). This still represented only a small fraction of the 70,000 or so school-age black children, but marked a hopeful beginning for black education in the state.⁹

Freedmen channeled their energies into other areas of society as well, trying to participate fully in their communities and jealously guarding their new-found rights. Many whites found all of this strange and alarming, and much of the social and political unrest and violence that characterized reconstruction in Texas and elsewhere stemmed from the fact that whites and blacks had two entirely different views of how postwar southern society should operate. A black from Prairie Lea discovered this when he asked to see some cattle he was about to buy from a white rancher; the white man gave the black man a beating for his presumptuousness. Whites could not get used to blacks behaving in ways that would have been inconceivable in the past. Stephen Paschal, a freedman living in Galveston, rose during a Republican meeting and declared that if he had had the advantages of a white man, "he would have been as smart a man as . . . ever trod Texas." According to a Freedmen's Bureau teacher in attendance, a northern soldier in the crowd called Paschal a "'damn liar,' whereupon a general disturbance took place and a number of shots were fired, wounding two men."¹⁰

The Republican *Southern Intelligencer* bemusedly reported that freedwomen in North Austin "have gone to house-keeping in regular style." The women behaved just like white housewives: "They receive the visits of their friends, talk largely, gossip some, we suppose, in imitation of other people, wash clothes, and vegetate generally." Unfettered by laws restricting their rights to congregate, freedmen participated in the sorts of social activities previously reserved for whites or held under white supervision. The biggest celebration of the year took place on Juneteenth—Liberation Day—but Independence Day also witnessed blacks enjoying their new freedom. Church and school picnics, railroad excursions, harvest festivals, fund raisers, baseball games (with white umpires), dances, and band concerts all marked attempts by blacks to live free lives. Freedmen further exerted their freedom by accelerating their antebellum secession from white congregations. In separate churches, blacks could develop their own religious beliefs, learn how to manage money and institutions, and hone leadership skills. Finally, blacks began, by mid-1867, serving on juries—indeed, dominating them, in districts where few white men could swear the "ironclad oath."¹¹

Freedmen also claimed a freedom long denied them in slavery—the right to protect themselves. Their efforts were one of the reasons some whites suspected an uprising among freedmen on Christmas Day, 1865. In response to random and organized violence against blacks, some estab-

lished local militia companies. A minor "riot" between the races in Tyler erupted when about twenty blacks drilled on the streets after dark, with drum, bugle, and firearms. A freedman from near Jefferson named Dick Walker raised "a cullud militia to keep the Klux off the niggers," which met regularly at the local African Methodist Church. A company of planters attacked, killing and wounding several of the black militiamen. White vigilantes near Jefferson also broke up a group of freedmen allegedly led by white outsiders because nearby citizens had been "apprehensive of an outbreak among the negroes. The report is, that the negroes . . . contemplated a general massacre and robbery of the neighborhood." Former slaves frequently remembered the ways that individual freedmen dealt with the Ku Klux Klan; their sometimes violent resistance no doubt puzzled and enraged whites accustomed to slave subservience. Nancy King's brother-in-law out-maneuvered a squad of "Ku Kluxers" who were chasing him by tying a grapevine across the road "'bout breast high to a hoss." When the night riders "hit that grapevine, it throwed them every which way and broke some their arms."¹²

Violence or the threat of violence frequently erupted when whites failed to live up to the blacks' perceptions of justice. A dozen armed freedmen rescued two alleged cattle rustlers from a deputy sheriff in July 1868. In the same month, a similar phenomenon with an unusual racial twist occurred in Waco, where a black was arrested, but not incarcerated, for assaulting another freedman. Armed negroes "rioted" until authorities put him in jail. The *Texas Republican* responded in the only way whites could to the blacks' assertion of their rights. "Negro riots, under radical rule," declared the *Republican* a few months before Radical Republicans actually took over the state government, "are becoming common throughout the State, and unless something transpires to change the feelings of the blacks, localities in which there are large negro populations, will be visited with the horror of a 'conflict of races.'" Up to a hundred freedmen gathered at Eagle Lake to prod local authorities into investigating the disappearance of two blacks. Their "riotous demonstrations" threw the "whole town . . . in[to] a state of extreme excitement." The missing men's bodies were found soon afterwards. In late 1871, a black state policeman pumped three bullets into a white suspect. Whites and blacks in the community armed themselves, and a black civilian wound up dead. A particularly interesting episode with political overtones occurred in Houston in June 1868, when a black named George Noble angered the city's freed community by voting the Conservative ticket in an election. Noble had recently been acquitted of murdering a black man, but on June 13 he shot another at a Negro dance. Once again, he was taken into custody but not to jail. A black lynch mob gathered, fighting broke out, and two

blacks suffered wounds. Clanging church bells and couriers soon brought in blacks from all over the city and outlying areas. By late that night, five to six hundred blacks and nearly that many whites roamed the streets of Houston with guns in hand. Authorities averted more violence when they finally lodged Noble in jail.¹³

The Radical Davis administration helped blacks explore previously uncharted territory when it organized the State Police and the State Militia. A burgeoning crime rate, especially of violent crimes—over a thousand homicides were reported in Texas between 1865 and 1868, while only five killers were convicted—inspired the Radicals to set up an integrated State Police force in 1870. During its three-year existence, officers made seven thousand arrests and began to make a dent in the criminal population of the state. Its racial makeup—about 60 percent of its 160 to 200 officers were black—rendered it politically vulnerable. Unaccustomed to blacks wielding any sort of authority over them, and calling it “The Standing Army of the Texas Autocrat,” Conservatives associated the State Police with “nigger rule” and blamed it for several controversial incidents during the Davis era. Blacks also served in large numbers in the Texas Militia, another short-lived and unpopular Radical effort to enforce the law, and black militiamen joined Davis in his last-ditch effort to hold the state capitol in early 1874.¹⁴

Nowhere was the “war of races”—not to mention white astonishment and revulsion at the efforts of blacks to enter Texas society as equals—more apparent than in Reconstruction politics. Many whites had difficulty adjusting to blacks casting votes, and few found it within themselves to accept magnanimously the fact that former slaves now had the right to join political parties, make public speeches, and run for office. On July 4, 1868, attendance at Marshall’s Independence Day celebration “was confined . . . entirely to the sons and daughters of Ham.” Four years before, such a congregation of blacks in one place would have been illegal. Now, however, “the negroes flaunted their blue ribbons, and shouted to their hearts’ content.” Late in 1868, a “Radical” torchlight procession wound its way through Austin to the state capitol. Americans participated in boisterous political demonstrations all over the nineteenth-century United States, but these Americans were almost entirely black (supposedly, only one white man, a German “who looked frightfully out of place and must have been lost,” took part). The *Hempstead Countryman* called it “a disgrace to the city of Austin.” Whites found public demonstrations by blacks bad enough, but even less palatable were the now frequent political speeches by blacks. In 1867, not long after black Americans obtained the right to vote, a freedman in Crockett “mounted a goods box” and delivered an hour-long speech in which he declared himself a candidate for governor.

During the dark—for Conservatives—days of the Davis administration, a black man from Galveston threw his hat into the race for Congress at a Radical caucus. Ferdinand Flake reported that the candidate “was severe on the white folks—told the negroes that they ought to vote for none but their own color for office.”¹⁵

Many blacks followed that advice; by early 1868, fifty thousand freedmen had registered to vote, and in February over 80 percent turned out to cast their ballots almost unanimously in favor of what everyone predicted would be a Radical-dominated constitutional convention. Nine black men, out of a total of ninety delegates, attended that convention, and fourteen blacks—two senators and twelve representatives—won election to the Twelfth Legislature in 1870.¹⁶

These black legislators came from a number of different backgrounds. They included the well-educated, New England-born Sen. George Ruby, a former journalist and Freedmen’s Bureau teacher who had begun serving in local and appointed offices for Texas Republicans in 1867. Also among them was Richard Allen, a former slave who during and after emancipation earned a reputation in Houston as a reliable carpenter and bridge builder; he also had served as a Freedmen’s Bureau agent. Matt Gaines—the other black state senator—was a diminutive former slave from Louisiana who preached the religious and political gospel to the freedmen of Washington County. These legislators formed a nucleus of black leadership in Texas. Several had participated in the 1868 Constitutional Convention, while others had been voter registrars or filled other local Republican offices. Three of them were illiterate. Five new faces appeared in the next legislature—the Thirteenth—including the colorful S. Meshack Roberts. Roberts had been a loyal Upshur County slave who had protected his owner’s home during the war; his master rewarded him with a plot of land. He survived an 1867 whipping by the Ku Klux Klan to serve in the Texas legislature for six years. These black leaders formed a solid alliance with Radicals in Texas.¹⁷

For Democrats, the most upsetting aspect of this alliance was the obvious absence in blacks of loyalty toward their former masters. Virtually all blacks voted for white Republican candidates—men who sought to overturn, in the eyes of old Confederates, the only viable system of race relations. The latter complained that the Freedmen’s Bureau, Loyal Union Leagues, and the state Republican party manipulated the politically naive freedmen during elections, and in many cases they were correct. A circular letter issued during the gubernatorial campaign of 1869 by Ruby, the Grand President of the State Council, Union League of America, made it clear that the league expected the freedmen to pledge their allegiance to the Republicans and cast their votes for the Radical candidate, E. J. Davis.

The "vows" of league members, he declared, "imposed upon them . . . grave duties." The success of the Republican party, "the loyal reconstruction of the State, and the restoration of peace, prosperity, and happiness to our people" depended on "the vigor and efficiency of our organization." Ruby directed members to subscribe to "sound Republican journals" and to stay in close touch with their Republican leaders, so that the "efforts of cajolery, bribery, and intimidation by the rebel enemy are rendered abortive." An Austin woman reported that blacks there were "ambitious to show by their good behavior that they deserve to be free." Many accomplished this by voting for the party that had freed them; to prevent those who could not read "from being imposed upon, their ballots have a likeness of Abram [sic] Lincoln on them." Blacks in Marshall reported to the local Loyal Union League headquarters to receive their instructions before going to the courthouse to vote. Alex Jackson remembered "companies" of Loyal Leaguers led to the polls by their precinct "captains," their double-file columns stretching for two blocks. The bureau agent stationed in Sterling reported that "if the freedmen have a fair opportunity to vote with sufficient protection, they will vote as the Bureau Agent instructs them. They believe in him—know what he is sent among them for—and will obey him in every respect." M.H. Goddin, posted in Polk County, "the worst hole in the country," found a "feeling of disperation [sic] . . . against me and the freedmen, because it is clear to see that all the freedmen will vote just as I tell them."¹⁸

Conservative whites feared such steadfast loyalty to the Republicans. As late as 1873, the *Dallas Herald* predicted that the "sable supporters" of Governor Davis in the Loyal Union Leagues "will be organized and the old flag be made to do impious duty in fluttering over the kinky heads of the leaguers as they march" to the polls, "shouting the name and praises of the man who deserted Texas in her darkest hours." The *Texas Republican* announced in June 1867, that "fanaticism is rampant." Recently a black registrar in Harrison County declared "himself a radical, and informed his sable brethren that they should and *must* regard the Southern white man as their enemy, and that they must prepare themselves to vote the radical ticket, or they would be severely punished." The freedman also warned that "every white man who advised a negro to vote a conservative ticket would be subjected to some dreadful torture." To whites, blacks who subscribed to such views had "forsaken the people amongst whom they have been raised." Every step freedmen took or attempted to take away from their former bondage seemed to take them farther from their subordinate position and the obligations it entailed. Their expressions of freedom appeared as a kind of treason to whites who, while doubting that blacks possessed the intelligence or initiative to pose a threat on their own,

nevertheless feared that they would join the assault on southern society and institutions by northern Radicals and southern scalawags. That whites considered many black actions during Reconstruction as a breach of their communal responsibilities and as examples of failed loyalty goes far in explaining their reactions to the freedmen.¹⁹

The new order of things alarmed many Anglo-Texans, who constantly commented on the behavior and attitudes of the freedmen. The "spectacle" of blacks voting drew much comment from whites, who seemed drawn and repulsed in equal measures to the novel phenomenon. Lucadia Pease, not surprisingly, was fairly sympathetic to the blacks living in Travis County. She wrote her sister early in 1868 that freedmen voting on whether or not to hold another constitutional convention "have been as quiet and orderly in their demeanor as if this was not the first time their manhood had been acknowledged by the whites." Two hundred mounted Webberville blacks had entered town with "the stars and stripes at the head of the column, and singing 'rally round the flag!'" Mrs. Pease reported that the "rebels" were "like madmen in their indignation that the negroes should vote." A year-and-a-half later, the editor of the *State Gazette* observed blacks voting in another election, and predictably described a far different scene. "There was pulling and hauling, and tearing up and changing of tickets," he wrote for other disfranchised "rebels" who would not have the privilege to vote, "and shouting for Hamilton and Davis and voting they knew not how and evidently did not care." The blacks "were having a glorious time with electioneering and whiskey and loud talk and voting some how or other."²⁰

Whites were also dismayed when blacks began serving on juries and reacted with surprise and condescension when they "deported themselves in a creditable manner." Many whites involved in legal proceedings, however, waived their right to a jury trial and presented their cases directly to judges. The *Bastrop Advertiser* announced that the "Judge or Justice of the Peace, that would sit on the bench with a negro jury is no better than a nigger himself," while the *Crockett Sentinel* said that it was "the duty of all patriotic judges" to resign rather than supervise courts in which "the jury boxes must be filled by negroes" and in which white citizens no longer "have any security for life, liberty, or property."²¹

Whites expected no good from their former human property at the polls or in court, and newspapers and individuals seemed to delight in reporting the immoral, criminal, or foolish behavior of freedmen. The *Marshall Texas Republican*, one of the state's best newspapers, copied articles and editorials from all over Texas that proved to conservative whites, at least, that freedom had ruined the morals of most freedmen. In Waco, a black nearly destroyed a local hotel when he tried to set fire to his

wife after a quarrel, while the *Millican News Letter* reported late in August 1867 that "Saturday night seems to have been eventful with the freed folks," as a "general row" had broken up a freedmen's dance. The *Trinity Advocate* found evidence of black criminality and Radical corruption in an episode in which a freedman knifed a one-legged Confederate veteran and wounded one of the men sent to arrest him. When he turned himself in the next day, he "was turned loose upon the community without any trial or without giving bond for his appearance hereafter!" A black woman living in Rusk County allegedly murdered her infant and buried it in a garden. She then escaped to Tyler, taking refuge, according to the *Rusk Observer*, in "a low bawdy house." A local "agent of the negro bureau . . . prevented her arrest." Early in the first autumn after emancipation, the *Texas Republican* printed a report that two thousand negro prostitutes plied their trade in Richmond, Virginia, and complained that every Southern city had suddenly become a "den . . . of negro prostitution." Occasionally, even worse violations of community morality developed between blacks and whites. The editor of the *Sherman Courier* was "humiliated and disgusted" when he saw a "nigger school marm" from Bonham "beastly drunk" on a Sherman sidewalk. "The last we saw of her," the newspaperman shuddered, "she was being escorted to some nigger cabins near town, between two colored gentlemen," one of whose arm was "encircling her waiste [*sic*] in a familiar and affectionate manner. To what lower depths of degradation can human nature fall."²²

Whether or not freedom led to a decline in the morals of blacks in Texas is, of course, highly debatable—but it is also irrelevant. Conservative Texans certainly thought so, or at least they wanted to think so, and this belief contributed to their attitudes toward blacks and toward the defunct institution of slavery, as well as to their political campaigns during Reconstruction. Blacks who went too far in exerting their freedom would soon learn the cost of deserting their former masters and ignoring the kindnesses with which they had been treated. They must learn where to place their loyalties, determine whom they could trust, and discover their proper place in a free society. At the same time, white Texans must realize that support of the Republican party and their radical racial programs would encourage the freedmen in their decadence and their apostasy. Only by opposing such disturbing tendencies—and by rejecting the Republican party—could whites demonstrate their loyalty to the South.

For whites, the rights, considerations, and freedom expected by the freedmen went far beyond the bounds of possibility or decency. Their world had at least temporarily turned upside-down, and they did their utmost to right it—in politics and in their "social relations" with blacks. Whites had generally feared the worst as it became clear that slavery would

be extinguished with the Confederacy. Soon after the war lurched to its end, the *Marshall Texas Republican* asked editorially, "What is to Become of the Negro?" The paper urged masters to retain influence over their slaves, and predicted that a system of compulsory labor would eventually be instituted, "which will make the negro useful to society and subordinate to the white man." When Texans envisioned the future, they—like most white southerners—did not see a new world of racial equality, but a world that resembled the one in which they had lived before the war. The *Houston Telegraph* assured its readers that the social system of the South would not be radically altered, but cautioned that for a time, "occurrences will continually take place that will shock all our sensibilities. . . . We shall be disgusted with a thousand things heretofore unheard of." Nevertheless, the watchword of the times must be "that what cannot be cured must be endured."²³

Anglos endured some of the freedman's "shocking" and "disgusting" actions, but generally responded aggressively to protect their interests and their vision of society. The *State Gazette* revealed the incredulosity shared by many whites at the turn of events in the three short years since the war, when a headline announced "The Reign of Niggerdom" in June 1868. "We have now in Texas negro voters and negro officials. Negro juries sit upon the rights of white men, and settle vexed questions of law and land titles. Negroes go to political meetings and crowd around respectable white ladies, elbowing their way every where. Negro balls are held in the capitol, and Negro schools are examined there. Negro processions parade our streets, by day and by night, with bands of music and flags. Negroes are in the hall of the House of Representatives, to make a constitution for the white people. They threaten the white members with their 40,000 voters. They boldly say that they are to rule the country." Surely, the *Gazette* mourned, "the reign of niggerdom has commenced."²⁴

White Texans exhibited two contradictory reactions to the postwar racial situation. Many abused the freedmen and ridiculed their attempts at building new lives. Some whites wanted to exterminate the blacks living in their midst—literally, or, more often, figuratively—by making them into nonpersons, with few legal, civil, or economic rights. Accompanying this gut-level, highly individual reaction, however, was a more calculating, politicized version of the same reluctance to give up their former relationship with the black race. Whites believed that the new loyalties of freedmen had to be reversed and the old loyalties recreated; they must be made to see their former masters as their true allies. After blacks became a potent political force in the late 1860s, some whites sought to win them over to the Democratic party—or at least to neutralize their support for the

Republicans—by recalling images of slavery's paternal past. These dual reactions were actually opposite sides of the same racial coin. At times repulsed by the freedom-spawned actions of their former slaves and loath to have anything to do with blacks on an equal basis, whites nevertheless sought to use friendship and political manipulation in enlisting the unwitting aid of blacks in rebuilding in a more subtle form their pre-emancipation racial relationship.

Violence and abuse characterized the initial reactions of many whites to the end of that relationship; ironically, such behavior indicated an end to the oft-claimed loyalty of paternalistic masters to their slaves. Blacks often told of masters and mistresses giving the new class of free men and women short shrift or washing their hands of them entirely. Andy McAdams's master "was far from forcing us to stay on as servants after the war." When word came that the peculiar institution no longer existed, his master simply told him he would have to leave. It was as though "they opened the gate and set the dog after us—just like you would a bunch of wild cattle that you were going to turn loose in a large pasture to graze or rustle for their living." Eli Davison recalled that his master vowed "if he got up next morning and found a negro on his place that he would horse whip him." Minerva Bendy summed up the experience of many black Texans when she said, "After us free dey turn us loose in de woods and dat de bad time, 'cause most us didn't know where to turn. I wasn't raise to do nothin' and I didn't know how. Dey didn't even give us a hoecake or a slice of bacon."²⁵

The ill treatment continued, of course, throughout the 1860s and 1870s—and far beyond, for that matter. Freedmen's Bureau agents frequently commented on the lack of sympathy for blacks among the whites in their districts. Capt. James Emerson wrote from Waco that "some of the citizens . . . have a good Feeling towards the Freedmen, while others, if it was not for the Bureau, would cheat, abuse and maltreat every man, woman or child on their plantation." Whites around Sherman, according to Capt. Albert Evans, were "generally . . . adverse to the interest of the freedmen in every particular. . . . The nigger shall not accumulate property, they must be kept poor, no schools shall be established in this part of the state for the niggers." Threats and pressure against white friends of the Negro prevented Evans from leasing a house to be used as a school, and local courts put orphans "of the colored persuasion" under indentures until they were twenty-one, after first fixing their ages in order to add four or five years to their "apprenticeship." Only those who could do a full day's work were snatched up under the state apprentice law; "small orphan children are not disturbed particularly those who need caring for." Ira Evans protested in his June 1867 report that the white people of Wharton County, "with but very few exceptions, will cheat, and swindle the freed-

people whenever they think they can do so with safety to themselves." James Devine expressed his outrage at the "violence and swindling" perpetrated by "planters and others" against freedmen in Anderson, Trinity, and Angelina counties in Southeast Texas. Even "the most *reliable, high-toned gentlemen*" overcharged freedmen with whom they had labor contracts for equipment, liquor, and other supplies.²⁶

Far more brutal treatment marked the experience of freedmen in some parts of the state. One former slave from East Texas told of how the slaves in Harrison County were freed immediately, but those in Rusk County were not. When slaves from Rusk tried to escape into Harrison, "they owners have 'em bushwhacked. . . . You could see lots of niggers hangin' to trees in Sabine bottom right after freedom, 'cause they catch 'em swimmin' 'cross Sabine River and shoot 'em." Annie Row, who lived in Rusk County, saw her master's family disintegrate during and just after the war. One son, John, was killed in the army, while another, Billy, came home from the war and slit his own throat. "A piece of paper say he not care for to live, 'cause de nigger free and dey's all broke up." The master "starts cussin' de War and him picks up de hot poker and say 'Free de nigger, will dey? I free dem.'" He hit Annie's mother in the neck with the poker, then "takes de gun offen de rack and starts for de field whar de niggers am a workin'." Fortunately for the slaves, he collapsed before he reached the field and died the next day. Travis County whites were also "unfriendly" toward freedmen, and "the hope is freely expressed, that white labor may be procured from Europe, and the colored race become annihilated or driven out of the Country." A group of Freestone County planters resolved late in 1865 not to hire freedmen and to whip any black who tried to negotiate a contract with a white man. A white who violated the agreement would be warned the first time, but whipped or hanged if he did it again.²⁷

The most horrific tales of white mistreatment of blacks were the rumors, never substantiated, that scores of freedmen died after being poisoned by vengeful whites—a macabre irony, in that tales of antebellum insurrection plots often included mass poisonings of white people. Ella Washington, who had fled with her master to Texas from Louisiana during the war, told an interviewer many years afterward that shortly after freedom, and after the master had agreed to let the freedmen stay for a few days to decide what to do, "somethin' funny happen dere. De slaves all drinks out an old well. Dey'd drink water in de mornin' and dey'd have de cramps awful bad 'bout dinner time and in de evenin' dey's dead." People were dying so fast "dey couldn't make de coffins for dem." Some slaves suspected their old master of poisoning them. "I don't know what kill dem," Ella said, "but it sho' look funny." A group of slaves arrived in Millican in the days after the war, and a storekeeper set out a barrel of

apples for them to eat. "De apples had been poisoned," according to a story told by Annie Day, "and dey killed a lot of de colored people." Teen-aged Lucy Thomas moved to the Widow Haggerty's place in Harrison County three years after the war ended. The old woman had once owned three hundred slaves and had a reputation as a harsh mistress. "When she knew the slaves was gittin' free," Lucy heard from slaves who had lived there for years, "she poisoned a lot of dem and buied dem at night. We'd hear the other slaves moanin' and cryin' at night for the dead ones." Finally, when over two thousand freedmen gathered in Marshall, Texas, in honor of Independence Day in 1867, a rumor flashed through the crowd that the well from which they were all drinking had been poisoned. Only the appearance of Mayor James Turner, who drank from the well himself, dispelled their fears.²⁸

The most visible indication of the whites' hatred for blacks was, of course, the Ku Klux Klan. Begun as a fraternal society in Tennessee during the first two or three years of Reconstruction, the Klan became the unofficial enforcer of white standards of behavior on blacks. Their repertoire ranged from pranks designed to frighten gullible blacks to bloody methods of physical intimidation. As the federal military presence dwindled, groups such as the Klan, the Knights of the Rising Sun, the Knights of the White Camellia, or the Teutonic Band of Brothers sprang up in towns all over Texas, but especially in the eastern third of the state; "Ku Kluxers" became a generic name for any band of rowdies or outlaws that caused trouble for Unionists or blacks. They targeted Loyal Leaguers, black criminal suspects, Union men, employers of "uppity" blacks, federal agents and soldiers, and educators of freedmen. Fifteen hundred Marion County residents indicated their support for the Knights of the Rising Sun at a ceremony and parade celebrating the founding of a local chapter.²⁹

Klansmen played sophomoric tricks on terrified freedmen and perpetrated random violence against individuals and groups of freedmen during their night rides. According to Louis Young, "it so bad de cullud folks 'fraid to sleep in dey house or have parties or nothin' after dark. Dey starts for de woods or ditches and sleeps dere. It git so dey can't work for not sleepin', from fear of dem Klux." A woman who grew up under the shadow of the Klan and other forms of white intimidation recollected, "in dem days when chillun wouldn't mind all dat I had to say was, 'All right de Ku Klux will git yo!' " and "Dey'd come right into de yard and mind."³⁰

Freedmen had few options in the face of such violence and mistreatment, nor could they do much to rid themselves of poverty. Neither the racist and thinly posted United States army nor the understaffed Freedmen's Bureau could offer much protection or support. The latter agency, although it distributed rations and clothing to a few hundred black Texans

between 1865 and 1868, did not accept responsibility for indigent freedmen; counties, townships, and cities also refused to fill the support vacuum created by emancipation. The number of federal troops stationed in Texas dropped from over 45,000 in September 1865, to just 5000 two years later; these were dispersed into thirty-seven posts located primarily on the western frontier. The Freedmen's Bureau found its limited resources totally inadequate to police the state's vast interior. There, according to the bureau's inspector general, freedmen were "beaten unmercifully and shot down like wild beasts, without any provocation, and followed by hounds and maltreated in every possible way."³¹

Although intimidation of blacks continued throughout and beyond the period of Reconstruction, many whites believed that the best way of making sure that freedmen would not cause trouble was to make them understand that their interests matched the interests of their former masters. They nodded editorially when a slave here and there expressed his or her dissatisfaction with freedom. When the Marshall Freedmen's Bureau agent assigned a local freedwoman to work in the streets, she purportedly said, "dis freedom, was a good deal like Confederate money; de more you have ob it, de worse you is off." "Pretty good for Dinah," smiled the *Texas Republican*. The *Southern Intelligencer*, a Republican paper based in Austin, accurately judged the "Game" of at least some Conservatives early in 1867. Planters hoped "to secure the freedman's vote in their interest. They appear to flatter themselves with the idea that after four years of bloody civil war to perpetuate the enslavement of black men, their wives and children, they can yet convince the now enfranchised blacks that Southern secessionists are now and ever have been their best and truest friends." The *Intelligencer* doubted that the freedmen were as ignorant as the Conservatives apparently believed they were, and confidently predicted that the blacks "will not be caught in this trap set by their old enemies."³²

Nevertheless, some of those old enemies tried to outflank Texas Republicans by turning blacks against the party of Lincoln. One way, of course, was to scare blacks away from the Republicans. Andy McAdams voted only once during his lifetime, when "that Federal Governor Edwin [sic] J. Davis" sent soldiers to Huntsville to protect the new black voters. McAdams claimed that "I did not know who I was voting for or even what they was holding that election for." Afterward, the "padderrollers" got after the freedmen who voted for Republican candidates. "I went right to the Trinity river bottom," Andy recalled, "and stayed there until they quit whipping negroes." Making examples out of black voters would, Conservatives hoped, create the sort of attitude evinced by young Will Adams's father. The elder Adams told one Yankee carpetbagger, "Listen, white

folks, you is gwine start a graveyard if you come round here teachin' niggers to sass white folks." Much later Will himself claimed that "them carpet-baggers starts all the trouble at 'lections in Reconstruction. Niggers didn't know anythin' 'bout politics."³³

Conservatives frequently tried to turn blacks away from the Republicans with parables describing the downward slide in the lives of freedmen. One story, which the *Dallas Herald* predicted would "disgust an honest Southern family with Radical hypocrisy," took place in a Texas town during the years immediately following the war. Esther had been a happy "confidential servant" and nurse for one of the little community's best families. When northern troops and carpetbaggers occupied the place, black soldiers and "a genuine Yankee family" convinced Esther to leave her old home and work for the northerners. Soon she married a black man from the North. Unhappily, "his brutish instincts" led to a beating that incapacitated her, after which her husband and new employers cast her into the street. Her former mistress took her home, however, "and tenderly nursed her till death closed her sufferings." Although neither her husband nor her "Pharisaical Yankee family" appeared at the funeral, "a whole village of Southern white people joined in procession to inter the remains of this faithful old servant." Esther's tragic fate was "but one of thousands of cases in the South since the war."³⁴

Even before freedmen cast a single vote in Texas, the *Texas Republican* declared that similar tragedies did not have to occur. The editor assured his white readers that "the better informed negroes in the South know well enough that their former masters and present employers are the best friends they have." They would, "in the first election that transpires," show the "radical office-seekers, and would-be destroyers of peace between the races" that "they are not so soft-headed as to throw off old, well-known, and long-tried friends for flimsy, new, coming pretenders, and transient interlopers." Southern whites and blacks "understand each other's advantages and wants." "It will require a long line of Radical instructors to satisfy the negro that he is a white man, or that he can prosper without his control and guidance."³⁵

Although some former masters supported the conservatives' efforts to win friends and influence freedmen through kindness, they often seemed to pursue that course out of the same desire to cling to the characteristics of slavery that inspired the abuse of freedmen. Whites sought to retain their authority over and to promote the dependence of their former slaves. Some doubted that blacks could care for themselves and many seemed unwilling to forfeit the emotional and psychological rewards of the master-slave relationship. A few offered the use of teams, tools, and land to their former slaves; others actually distributed property to freedmen or insisted

on caring for freedmen's children until the former were able to support their families. One former slaveowner in Waco offered to raise the children whose mothers he had sold. Whites occasionally mixed their concern for freedmen with a certain amount of contempt for their ability to provide for themselves. John Price's father moved away from his master's plantation after the war ended, but "when my li'l sister have de whoopin' cough, old massa come down in a hurry and say, 'You gwineter kill dem chillen,' and he puts my sister and brother on de hoas in front of him and takes 'em home and cures 'em hisself." Similarly, Freedmen's Bureau subassistant commissioner A.H. Mayer reported from Liberty that "the people throughout this section accept the condition of affairs as they are, and treat the freedmen with kindness." Mayer had heard of many occasions when former slaveowners "have seen the freedpeople fooling off their money" and gone "forward & advise them to save their money, that in a year or two they could purchase homes for themselves & families."³⁶

Masters frequently offered paternalistic and unsolicited advice to their former slaves. Mary Overton's master encouraged his slaves to stay on his plantation for a while, for white people were "pretty much worked up and might treat us pretty mean." Another owner predicted that there "might be trouble 'twixt de whites and niggers" and advised his blacks "to stay and not git mixed in dis and dat org'ization." Nath Newman grimly told his slaves that "now de war is over and times is hard . . . and work is goin ter be hard ter get." He reminded them "you is all on your own and has got ter hustle fer yourself." They must not wait until they were hungry before they looked for employment, because as soon as they failed to get a job they would steal something, and "dat will get you in trouble jest as sho' as you is standing here in front of me." Then "you will has ter get yourself out of it er go ter jail, for remembers you don't belong ter me er anybody else any more." According to Betty Bormer, who was a child in 1865, Col. M.T. Johnson declared to his former slaves "you is now free and can go whar you pleases." Then he told them, in a demonstration of the paternal ideal that flourished among many slaveholders, that "he have learned us not to steal and to be good and we 'uns should 'member dat and if we 'uns gets in trouble to come to him and he will help us." Apparently he meant it, "'cause de niggers goes to him lots of times and he always helps."³⁷

Such treatment would, many Texans believed, help them recapture their state and reconstruct their relationships with former slaves. In 1868, after reports that freedmen near Huntsville planned an arson campaign against whites, and in response to the political manipulations of the bureau agent for that area, local Democrats organized a huge barbecue for whites and blacks. Fifteen hundred freedmen showed up, white and black leaders spoke to the crowd, and good wishes were exchanged. Whites thanked

blacks for their long service and faithfulness and assured them that their voting rights would not be threatened. According to one of the Democrats who attended, many blacks came over to the conservatives, and race relations improved considerably. Reports from Freedmen's Bureau sub-assistant commissioners revealed that planters in other parts of the state were also "acting in a manner to gain the confidence and good will of the free people . . . treating them in a manner best calculated to create a greater degree of harmony between the two classes." Whites near Livingston "desire to make political proselytes" of the blacks. "Much jealousy exists least [sic] the freedmen favor confiscation . . . by advice of the white unionists." Planters in other areas believed that "moral and intellectual darkness, is, and ever will be the only true status of the freedpeople . . . thinking that thus they can be the more easily controlled as laborers, and . . . perhaps, as voters." Others "poison[ed] the minds" of freedmen by threatening that if they failed to vote the planters' way, "they will all be discharged from work upon the plantations & will die of starvation." P.B. Johnson, an agent assigned to Tyler County, feared that the blacks' best character traits would cause them to go over to the planters' side. The freedman, he wrote, "in respect to *forgiveness* and *forbearance* . . . is the best man in the world." In addition, "his anxiety to be favorably noticed," and his "religious disposition and fidelity . . . [to] morrall obligations" left him vulnerable to control by "his former enslaver."³⁸

Conservatives naturally rejoiced whenever their strategy seemed to succeed. One hundred fifty Harrison County blacks attended a conservative meeting in December in 1868, while five years later a "Colored Convention" in Brenham refused to pass a resolution offered by Matt Gaines that endorsed the Davis administration. The *Democratic Statesman* reported that the resolution "was too much even for African blood to swallow." The gathering also gave Davis's ambassador-at-large, James Newcomb, a cold shoulder, which "shows the odor in which such men are held even by the negroes." Although significant numbers of blacks did not turn away from the party that had, in their minds, released them from bondage, some did respond to the Conservatives' carrot-and-stick tactics and rejected the Republicans. Their voter turnout plummeted 16 percent to two-thirds of all registered freedmen in the 1869 gubernatorial election. "Crazy" Jim Black of Nacogdoches gave "a decidedly practicable speech" in June 1867, when he told a Negro meeting that they were foolish and that it was God's will that they earn a living by manual labor. The *Texas Republican* commented approvingly, "If that negro was crazy, insanity should be at a premium." William M. Thomas came to Galveston in 1874 and began working as a stevedore. Soon after his arrival, his boss gave him election day off, handed him a marked ballot, and ordered him to go to the polling

place. "When us comes dere, 'twas a table with meat and bread and stuff for to eat, and whiskey and cigars. Dey give us something to eat and a cup or two of dat whiskey and puts de cigar in de mouth. Us am 'portant niggers, ready to vote. With dat cup of whiskey in de stomach and dat cigar in de mouth and de hat cock on side de head, us march to de votin' place and does our duty. Fix up de way us was, us would vote to put us back in slavery."³⁹

One agent correctly believed that the Conservatives' efforts to persuade or to bribe black voters would have little effect on the majority of ex-slaves. "The very fact that the Planters want them to vote one way," he wrote, "they say is a sufficient reason why they should not vote that way." Freedmen proved as much at the polls in 1873, when the Democrats "redeemed" Texas with very little help from black voters, despite their efforts. Nevertheless, the *Dallas Herald* celebrated with the sort of rhetoric that had been used to convince blacks of where their true loyalties lay. "The day has come," proclaimed the *Herald*, "when the Democrats are about to control the destinies of Texas, and now the colored people will, for the first time, have an opportunity of seeing how they have been deceived and misled by the Radicals." Now that the Democrats were in power, "the colored people will enjoy, in peace and security, all their rights under the Federal and State Constitution and laws." They will finally be able to "vote as they please, without the dread of anathemas or assassination by loyal leagues." The Democrats of Texas assured the freedmen that they "are not the enemies of colored men, but, on the contrary, wish them well and desire their welfare in the State." What Radical could have said it better?⁴⁰

Some observers and at least a few freedmen believed that emancipation had brought little actual freedom to Texas blacks. Lt. J.A. Archer reported early in 1867 that without government protection "the Freedpeople . . . would be in a worse condition, than when Slaves, as they were then protected by their owners to some degree." Now, however, "no one takes any interest in them, except to get all they possibly can out of them." Mary Gaffney bitterly declared that "we was not given a thing but freedom. . . . Instead of being free, slavery had just begun among the negroes . . . we was a people turned loose like a bunch of stray dogs." Another freedwoman indicated one source of the blacks' helplessness during and after Reconstruction. If a white man "wanted to kill a negro he did not lose anything cause the negro was free and he could get another one without costing anything." There was a replacement "always waiting for him to say the word."⁴¹

The number of blacks in the state legislature dwindled throughout the 1870s and 1880s, and during that time freedmen and their children re-

mained chained to menial and agricultural jobs, enjoyed few educational opportunities above a bare literacy, and rarely served on juries or participated in other civil or political freedoms. Black Texans had made one huge leap in attaining their freedom, but further gains would have to wait for another era, as Dave Byrd, a former slave, knew only too well. "You talk about slavery," he said long after he had become a free man, "it never begin until after we was supposed to be free. We had to work farms on the halves, very little to eat, and no clothes 'cept what we begged. Then after we got a crop made it would take every bit of it to pay our debts. We had no money to have Doctor's [sic] when we got sick, and from the day we turned loose we had to shoulder the whole load. Taxes to pay, groceries to buy and what did we get? Nothing."⁴²

In many ways, blacks replaced white Unionists as the primary group of outsiders in Texas. Few freedmen resisted becoming, for lack of a better word, dissenters during Reconstruction. Their political lives and economic survival necessitated it, and their race automatically put them at odds with most white policy makers and even many white Republicans. By trying to join the mainstream society, they dissented against the plans that whites held for that society. Whites believed that freedmen had forgotten where their true interests and loyalty lay and transferred to blacks the intimidation and political pressure that they had formerly directed against white dissenters. Combined with violence inspired solely by racial antipathy, this vigilance proved effective in redeeming the South for white men. Those few whites who had sustained their dissent against the justice of slavery, the methods with which the South tried to preserve it, secession, or the mistreatment of freedmen finally found themselves unable or unwilling to continue the fight. By 1874, much of their dissent had evaporated with the support of the federal government and of the Republican party, as politically pragmatic dissenters found it uncomfortable and often personally distasteful to associate themselves with the problems of the freedmen. As a result, without white support, and burdened by their own political inexperience and limited economic resources, blacks found their struggle as unrewarding and, at least for the time being, as hopeless, as the struggle carried on by the dwindling numbers of white dissenters throughout the Civil War period. In the end, ironically, blacks—or the debates about the future of blacks—had helped to close the doors on dissent in Texas.

Epilogue: Nothing to Regret but Failure

When Edward King, a writer for *Scribner's Monthly*, toured Texas in 1874 researching his magazine's "The Great South" series, he found that Texas had undergone many changes since the years just before the Civil War. A San Antonian told the journalist that "it was like living in an asylum where every one was crazy on one especial subject; you never knew when dangerous paroxysms were about to begin." Twelve years before, wrote King, "it was dangerous for a man to be seen reading the *New York Tribune*, and . . . perilous for him to be civil to a slave." Now, however, those times had "passed away, and the Texans themselves are glad that they have awakened from their dreams of patriarchal aristocracy, which place such a check upon the development of the State."¹

In many ways, Texans had awakened from a bad dream, and some of the leading dissenters during the war and Reconstruction were able to leave the violence and controversy behind them and live much as they had before the war interrupted their lives. E. M. Pease retired in peace to his Austin home, Wood Lawn, where he had lived during his voluntary exile from public life during the war. Thomas DuVal, after surviving an impeachment attempt by Radical Republicans, served on the federal bench for many years until his death in 1880, while John Haynes enjoyed a sinecure as collector of customs at Brownsville for over a decade; he ended his "retirement" from politics in 1884 for a quixotic campaign as the Republican candidate for lieutenant governor. James W. Throckmorton and John Hancock represented Texas in the United States Congress during the 1870s and 1880s. George Brackenridge overcame his unsavory reputation as a war profiteer and Unionist and rose to prominence as a merchant, banker, and philanthropic regent of the University of Texas. Thaddeus McRae, the Unionist refugee and chaplain to black soldiers, returned to Texas in early 1866 to minister to Austin Presbyterians. Even A. J. Hamilton benefited posthumously from the remarkably selective memo-

ries of the participants in the sectional crisis in Texas. When he died of tuberculosis at the age of 60 in 1875, Radicals and Conservatives alike packed the capitol for his funeral, which was held beneath the United States flag and attended by an honor guard of blue-clad former Yankees and Rebels.²

Although hill country Germans had suffered their share of persecution during the war, the general population's disdain for them faded as the century drew to a close. Germans nevertheless retained their reputation for Unionism; in 1866, the residents of Comfort erected over the graves of the victims of the Nueces Massacre a stone monument poignantly inscribed "*Treuer der Union*—True to the Union." Politically, they split their allegiance nearly equally between the Republican and Democratic parties and pursued a political course different from other Texans until well into the twentieth century. Despite the experiences of Texas Germans during the war, immigration from the old country also continued unabated, as more Germans entered Texas after the Civil War than before. By 1900, there were over 48,000 German-born Texans, compared with just under 20,000 in 1860.³

Others were not able to settle comfortably into post-Reconstruction Texas. E.J. Davis struggled for a decade trying to practice law in Austin and in Corpus Christi. He nearly missed the 1880 Republican National Convention because he could not afford the \$100 train fare. Rev. Charles Gillette rejected a call from his old parish of St. David's in Austin, moving instead to Brooklyn, New York, where he died in 1868. One of his New York neighbors, S.M. Swenson, had also left Texas for the North. Taking leave of Thomas DuVal in 1865—"a friend who has stuck closer than a Brother"—the Swede sailed out of New Orleans with the fortune he had earned in the cotton trade. In New York, he opened a bank and promoted Swedish immigration to Texas.⁴

Some of the war- and Reconstruction-spawned violence between and against Anglos, tejanos, and blacks spilled into the postwar years. The Early-Hasley feud in Bell County grew out of wartime atrocities committed against Unionists and deserters by a local home guard unit. Conflicts between former Confederates, the freedmen's Loyal Union League, and Yankee officials sparked the Lee-Peacock and Sutton-Taylor feuds. The former lasted into the 1870s, and the latter simmered for three decades. Although a few Mexican-Texans continued to serve in local and county governments, they often suffered from racial violence. Lynchings in retaliation for real or imagined crimes, random assaults, and economically motivated terrorism combined to make tejanos in West and South Texas especially vulnerable. Finally, violence also marred the lives of Texas blacks for decades after the close of the sectional conflict. Twenty-five

Houston blacks were slaughtered during church services in 1875, and a horrified Houston newspaper reported that the victims were drawn and quartered. Vigilante “justice” continued for decades after the war; whites lynched perhaps five hundred blacks between 1870 and 1900. Other victims included petty criminals who found themselves behind the bars of the overcrowded and disease-ridden state prison, where blacks constituted 50 percent of the inmates, although they made up only 25 percent of the state’s population.⁵

Not surprisingly, blacks suffered a startling decline in power and expectations following the end of Radical Reconstruction. Texas freedmen lost one of their most influential spokesmen when George T. Ruby left for New Orleans in 1874. Before he died of malaria at the age of forty-one, eight years later, he edited newspapers and worked in the New Orleans customs office. Ruby’s colleague in the state senate, Matt Gaines, spent the last twenty-four years of his life as an impoverished preacher and farmer. When he died in 1900, he was buried in an unmarked grave in a black cemetery near Giddings, leaving behind only a faded photograph of himself, a pair of cuff links, and a gold tie tack engraved with his initials and the dates of his term in the senate. By the 1880s, the usual number of blacks in the legislature had dwindled to around three or four, and after the Twenty-fourth Legislature in 1895, no blacks served in state government until the 1960s. In their attempts to mount an effective opposition to the Democrats, black voters unsuccessfully experimented with Greenbackers and Populists. By the 1890s, “Lily Whites”—led, ironically, by the former secretary of the Loyal Union League, James P. Newcomb—had practically driven blacks out of the Republican party. That mattered little by the early years of the twentieth century, however, as intimidation, poll taxes, and white primaries blocked blacks’ access to the ballot box.⁶

The rapidity with which the concepts of the Lost Cause and the New South swept the old Confederacy in the decades following the war partly explains the attitude of southern whites toward the increasingly alienated and disfranchised blacks. The subconscious goal of the literary creators of the Lost Cause was to reinstill traditional southern values—as well as to confirm the idea of white supremacy—and if they were to succeed, their formula had to apply to all southerners, even those to whom the cause had been anathema. Fortunately for southern conservatives, virtually none of the Unionists of 1861 or the Republicans of 1868 was willing to go along with the government centralization, Negro equality, and federal interference entailed in the program created by the northern Radicals. Unenthusiastic about the Yankee vision of the future, and often ignored by northern Republicans, the Lost Cause became the cause of many former dissenters, too. In fact, southern literature went through a brief period during the

decade and a half after the war where the traditional Lost Cause celebration of Confederate gallantry and chivalry was mixed with stories, letters, and reminiscences that attacked trouble-making secessionists, deserters, draft evaders, speculators, undisciplined soldiers, poor officers, glory seekers, and various other species of disloyalists and unsavory southerners. By 1890, however, this brand of Civil War literature had died out; according to one historian, "the next generation would hardly know they existed." If, as another historian has argued, the Lost Cause became the civil religion of the South, the former Unionists were welcome converts to a congregation anxious to save as many southern souls as possible. The New South ideology shared this tendency to forgive and forget. There was no room in its forward-looking optimism for complaints about previous indiscretions. The southern way of life was too important to let the mistakes of the past mar this progressive vision of a united South.⁷

As a result, although the ultimate fragility of Confederate loyalty and nationalism contributed to the defeat of the Confederate nation in the Civil War, Reconstruction accomplished what nationalistic oratory and a bloody war could not: the creation of a "nation" to which southerners gladly declared their loyalty. Unhampered by Confederate demands on their lives or their treasure, southerners could once again pledge their allegiance to the South, with a much clearer notion than in 1861 of what was at stake. The North Carolina journalist Wilbur Cash wrote that Reconstruction "fused . . . the ideas and loyalties of the apotheosized past," creating a rather mythical entity "with all the binding emotional and intellectual power of any tribal complex of the Belgian Congo." With his talent for marvelous hyperbole, Cash described the effect of the system of beliefs spawned by the bitter experience of Reconstruction. If one did not think, say, and do exactly what was expected of him by southerners—whether in terms of one's racial relations, social or political attitudes, or religious practices—"one stood in pressing peril of being cast out for a damned nigger-loving scoundrel in league with the enemy." A man could be forgiven from straying from the rules once, but "let him deviate twice, three times, and men's eyes were hard and dangerous in his, women began to gather their skirts closely about them as they passed, doors . . . slammed in his face, marriage into a decent family became difficult or impossible, the children in the village street howled and cast stones, the dogs developed an inexplicable eagerness to bite him, his creditors were likely to call in the sheriff."⁸

Twenty years later, the poet, novelist, and Vanderbilt agrarian Robert Penn Warren wrote less colorfully but no less eloquently that losing the war was the best thing that could have happened to the Confederacy. "Only at the moment when Lee handed Grant his sword was the Con-

federacy born," Warren wrote at the beginning of the Civil War Centennial, "or to state matters in another way, in the moment of death the Confederacy entered upon its immortality." Although "there had been great and disintegrating tensions within the Confederacy" during the war—as an examination of its citizens' loyalty amply demonstrates—"once the War was over, the Confederacy became a City of the Soul," untarnished by "the haggling of constitutional lawyers, the ambition of politicians, and the jealousy of localisms." Everyone became a Confederate, regardless of his role in the late war, and as the veterans and civilians whose memories were filled with burning towns, telegraph office casualty lists, and outrageous prices gradually died off, the rolls of loyal Confederates grew inexorably longer.⁹

David M. Potter, an eminent Civil War historian and also a student of nationalism, believed that there was no true southern nation before the Civil War began. Southerners shared a sense of "kinship" and common interests, but lacked an "impulse toward political unity." The primary unifying factor for the southern states was "resentment . . . not . . . a sense of separate cultural identity." Potter did not assert that there never was a "deeply felt southern nationalism," but he claimed that "it resulted from the shared sacrifices, the shared efforts, and the shared defeat." The Civil War "did far more to produce a southern nationalism which flourished in the cult of the Lost Cause than southern nationalism did to produce the war."¹⁰

The overriding principle of the cause to which old rebels as well as Confederates-come-lately dedicated themselves was, of course, white supremacy. Although Greenbacker, Populist, or other minor political and social revolutions occasionally broke out in the South and threatened the loose coalition of interests that was the Democratic party, the one common denominator that united white men was their fear and hatred of the blacks among them. Whether this was reflected in brutality against individuals or in a paternal tolerance of the blacks' right to life combined with a dogmatic opposition to their right to enjoy their lives, southerners never forgot the white thread that bound together the diverse proponents of the Lost Cause.¹¹

In Texas, as in other parts of the South, the most vivid expressions of the issue that forced dissidents into their uneasy alliance with mainstream southerners were periodic campaigns against blacks. These ranged from Comanche County's famous expulsion of all Negroes in 1886, to the intransigence, brutality, and discrimination that led up to the violent 1917 riot in Houston, to the remarkable rebirth of the Ku Klux Klan in the early 1920s, in which violence and politics combined to remind blacks and whites alike just what the war and Reconstruction two generations before

had been all about. W.E.B. DuBois wrote of the Lone Star State during the Red Summer of 1919: "This is Texas. This is the dominant white South. . . . This is the thing that America must conquer before it is civilized, and as long as Texas is this kind of Hell, civilization in America is impossible."¹²

The ghostly nation to which most southerners pledged their loyalty for the rest of the nineteenth century and well into the twentieth was based on more than the violence and economic and political discrimination perpetrated on southern blacks. It also surfaced in the Democratic "solid South," in the region's conservative social system and religious fundamentalism, and in the enduring affection southerners held for their Confederate ancestors. The magnanimity of selective memory allowed the descendants of antisecessionists, conscription evaders, and cotton speculators residence in this southern "Brigadoon" that appeared out of the mists from time to time. A 1959 plaque placed in the state capitol in Austin by the Texas Division of the Children of the Confederacy pledged the loyalty of "the children of the South" to this unforgotten past. The organization promised "to preserve pure ideals," to honor veterans, to promote the teaching of "the truths of history," and to "always act in a manner that will reflect honor upon our noble and patriotic ancestors." Long before, the *Marshall Texas Republican* predicted such an outcome to the Civil War. "Men must not suppose," it declared, "that because the Southern Confederacy is dead, its memory will become odious either to this generation or to the generations that are to follow. . . . The southern people have nothing to be ashamed of or to regret except failure."¹³

Notes

INTRODUCTION: DRAWING THE LINE

1. Walter L. Buenger, "Texas and the Riddle of Secession," *Southwestern Historical Quarterly* 87 (Oct. 1983): 151–82.

2. Boyd C. Shafer, *Faces of Nationalism: New Realities and Old Myths* (New York: Harcourt Brace Jovanovich, 1972), 133–35; Boyd C. Shafer, *Nationalism, Myth and Reality* (New York: Harcourt, Brace and Co., 1955), 144–50, quotes on pp. 145–46. Leonard W. Doob offers a useful definition of patriotism in *Patriotism and Nationalism: Their Psychological Foundations* (New Haven, CT: Yale Univ. Press, 1964), 6: Patriotism is "the more or less conscious conviction of a person that his own welfare and that of the significant groups to which he belongs are dependent upon the preservation or expansion (or both) of the power and culture of his society." Among the many works dealing with loyalism during the American Revolution, the most useful surveys are Robert M. Calhoun, *The Loyalists in Revolutionary America, 1760–1781* (New York: Harcourt Brace Jovanovich, 1973); Wallace Brown, *The Good Americans: The Loyalists in the American Revolution* (New York: William Morrow and Co., 1969); and William H. Nelson, *The American Tory* (London: Oxford Univ. Press, 1961).

3. For exceptions, see Carl N. Degler, *The Other South: Southern Dissenters in the Nineteenth Century* (New York: Harper and Row, 1974); Roger W. Shugg, *Origins of Class Struggle in Louisiana: A Social History of White Farmers and Laborers during Slavery and After* (Baton Rouge: Louisiana State Univ. Press, 1939); James Welch Patton, *Unionism and Reconstruction in Tennessee, 1860–1869* (Chapel Hill: Univ. of North Carolina Press, 1934); and Bessie Martin, *Desertion of Alabama Troops from the Confederate Army: A Study in Sectionalism* (New York: Columbia Univ. Press, 1932).

4. Randolph B. Campbell, *A Southern Community in Crisis: Harrison County, Texas, 1850–1880* (Austin: Texas State Historical Association, 1983); Vera Lea Dugas, "A Social and Economic History of Texas in the Civil War and Reconstruction Period" (PhD diss., Univ. of Texas, 1963); Walter L. Buenger, *Secession and the Union in Texas* (Austin: Univ. of Texas Press, 1984); Frank H. Smyrl, "Unionism in Texas, 1856–1861," *Southwestern Historical Quarterly* 68 (Oct. 1964): 172–95; Robert P. Felgar, "Texas in the War for Southern Independence, 1861–1865" (PhD diss., Univ. of Texas, 1935); Stephen B. Oates, "Texas under the Secessionists," *Southwestern Historical Quarterly* 67 (Oct. 1963): 167–212; Claude Elliott, "Union Sentiment in Texas 1861–1865," *Southwestern Historical Quarterly* 50 (April 1947): 448–77; Robert L. Kerby, *Kirby Smith's Confederacy: The Trans-Mississippi South, 1863–1865* (New York: Columbia Univ.

Press, 1972); Charles W. Ramsdell, *Reconstruction in Texas* (New York: Columbia Univ. Press, 1910; Austin: Univ. of Texas Press, 1970); James A. Baggett, "The Rise and Fall of the Texas Radicals, 1867-1883" (PhD diss., North Texas State Univ., 1972); Carl H. Moneyhon, *Republicanism in Reconstruction Texas* (Austin: Univ. of Texas Press, 1980).

5. Degler, *The Other South*, 6, 9.

6. *Brownsville Ranchero*, December 17, 1864; Drew Gilpin Faust, *The Creation of Confederate Nationalism: Ideology and Identity in the Civil War South* (Baton Rouge: Louisiana State Univ. Press, 1988), p. 7.

1. SOUTHERN VIGILANTISM AND THE SECTIONAL CONFLICT

1. Wesley Norton, "The Methodist Episcopal Church and the Civil Disturbances in North Texas in 1859 and 1860," *Southwestern Historical Quarterly* 68 (Jan. 1965): 339.

2. William W. White, "The Texas Slave Insurrection of 1860," *Southwestern Historical Quarterly* 52 (Jan. 1949): 259-61; *Austin State Gazette*, July 28, 1860. See also Wendell G. Addington, "Slave Insurrections in Texas," *Journal of Negro History* 35 (Oct. 1950): 408-34, and Bill Ledbetter, "Slave Unrest and White Panic: The Impact of Black Republicanism In Antebellum Texas," *Texana* 10, no. 4 (1972), 342-48. For the insurrection scare in East Texas, see Donald E. Reynolds, "Smith County and Its Neighbors during the Slave Insurrection Panic of 1860," *Chronicles of Smith County* 10 (Fall 1971): 1-8. Clement Eaton called the southern fear of servile insurrection "pathological" and believed it contributed to the suppression of freedom of thought in the South. Clement Eaton, *The Freedom-of-Thought Struggle in the Old South* (New York: Harper and Row, 1964), 89-117.

3. White, "Texas Slave Insurrection," 262-76; Mann to Thomas Huling, August 24, 1860, Thomas Huling Papers, Barker Texas History Center, University of Texas at Austin; *Brownsville Ranchero*, August 4, 1860; *Navarro Express*, July 14 and August 11, 1860; *Seguin Union Democrat*, August 8, 1860, quoted in the *Austin State Gazette*, Septembr 8, 1860; *Matagorda Gazette*, August 15, 1860.

4. Gideon Lincecum to D. B. and Emily Moore, August 15, 1860, Gideon Lincecum Collection, Barker Texas History Center; White, "Texas Slave Insurrection," 276; Larry Jay Gage, "The Texas Road to Secession and War: John Marshall and the *Texas State Gazette*, 1860-1861," *Southwestern Historical Quarterly* 62 (Oct. 1958): 198; *Bastrop Advertiser*, August 11, 1860, quoted in James M. Smallwood, *Time of Hope, Time of Despair: Black Texans during Reconstruction* (Port Washington, NY: Kennikat Press, 1981), 19; Edward Burrowes to Mrs. Mary Burrowes, December 31, 1860, in Charles M. Snyder, "New Jersey Pioneers in Texas," *Southwestern Historical Quarterly* 64 (Jan. 1961): 363. Free blacks were the most frequently suspected nonslave conspirators, but white men, especially foreigners or out-of-staters, also earned the close scrutiny of vigilantes during insurrection scares. See Herbert Aptheker, *American Negro Slave Revolts* (New York: Columbia Univ. Press, 1943), 164-65, 224-25, 232-33, 303-4; Peter H. Wood, *Black Majority: Negroes in Colonial South Carolina from 1670 through the Stono Rebellion* (New York: W. W. Norton, 1974), 295, 303-6, 312; and Davidson Burns McKibben, "Negro Slave Insurrections in Mississippi 1800-1865," *Journal of Negro History* 34 (Jan. 1949): 76-79. A recent edition of Helper's book is Hinton Rowan Helper, *The Impending Crisis of the South; How to Meet It*, ed. George Fredrickson (Cambridge: Harvard Univ. Press, 1968).

5. G. L. to John Lincecum, August 18, 1860, Lincecum Collection; Norton, "Methodist Episcopal Church and Civil Disturbances," 317-41; White, "Texas Slave Insurrection," 265-67. For a recent analysis of the breakup of the Methodist Church in

1844, see C. C. Goen, *Broken Churches, Broken Nation: Denominational Schisms and the Coming of the American Civil War* (Macon, GA: Mercer Univ. Press, 1985), 78-90.

6. For an early examination of mobs as instruments of suppressing unpopular opinions, particularly those that threatened slavery, see Clement Eaton, "Mob Violence in the Old South," *Mississippi Valley Historical Review* 29 (Dec. 1942): 351-70. For northern mobs, see Michael Feldberg, *The Turbulent Era: Riot and Disorder in Jacksonian America* (New York: Oxford Univ. Press, 1980) and Leonard L. Richards, "Gentlemen of Property and Standing": *Anti-Abolition Mobs in Jacksonian America* (New York: Oxford Univ. Press, 1970).

7. Wilbur J. Cash, *The Mind of the South* (New York: Alfred A. Knopf, 1941), 68; quoted in Stephen A. Channing, *Crisis of Fear: Secession in South Carolina* (New York: W. W. Norton, 1970), 291. A recent work that emphasizes the relationship of southern religion to slavery is Donald G. Mathews, *Religion in the Old South* (Chicago: Univ. of Chicago Press, 1977). For other strong arguments in favor of the South's defensiveness as a factor in the coming of the Civil War, see Avery Craven, *The Coming of the Civil War*, 2d ed. (Chicago: Univ. of Chicago Press, 1957), 398-403; Frank L. Owsley, "The Fundamental Cause of the Civil War: Egocentric Sectionalism," *Journal of Southern History* 7 (Feb. 1941): 15-16; Charles S. Sydnor, *The Development of Southern Sectionalism, 1819-1848* (Baton Rouge: Louisiana State Univ. Press, 1948), 120-56, 222-74, 331-39; and William L. Barney, *Flawed Victory: A New Perspective on the Civil War* (New York: Praeger, 1975), 81-82, 183-84. An exaggerated description of southerners' perception of their distinctiveness and a useful summary of the evolution of southern attempts to remedy their declining power within the Union are in Jesse T. Carpenter, *The South as a Conscious Minority, 1789-1861: A Study in Political Thought* (New York: New York Univ. Press, 1930).

8. Channing, *Crisis of Fear*, 24-38, stonecutter story on p. 30; Victor Howard, "John Brown's Raid at Harpers Ferry and the Sectional Crisis in North Carolina," *North Carolina Historical Review* 55 (Autumn 1978): 396-420; Donald B. Kelley, "Intellectual Isolation: Gateway to Secession in Mississippi," *Journal of Mississippi History* 36 (Feb. 1974): 17-37. For an overview, see William L. Barney, *The Road to Secession: A New Perspective on the Old South* (New York: Praeger, 1972), 153-60.

9. John V. Mering, "The Constitutional Union Campaign of 1860: An Example of the Paranoid Style," *Mid-America* 60 (April-July 1978): 95-106, quote on p. 99; William L. Barney, *The Secessionist Impulse: Alabama and Mississippi in 1860* (Princeton, NJ: Princeton Univ. Press, 1974), 153-88; *Nashville Union and American*, October 12, 1860, quoted in Dwight L. Dumond, ed., *Southern Editorials on Secession* (New York: Century Co., 1931), 182. See also John V. Mering, "The Slave-State Constitutional Unionists and the Politics of Consensus," *Journal of Southern History* 43 (Aug. 1977): 395-410. For state-by-state summaries of the campaign, see Collinger Crenshaw, *The Slave States in the Presidential Election of 1860* (Baltimore, MD: John Hopkins Univ. Press, 1945). For an example of election abuses, see Patton, *Unionism and Reconstruction in Tennessee*, 20-21.

10. Herschel V. Johnson, "Documents: From the Autobiography of Herschel V. Johnson, 1856-1867," *American Historical Review* 30 (Jan. 1925): 319-22.

11. Hedrick to Manly, October 14, 1856, in J. G. de Roulhac Hamilton, "Benjamin Sherwood Hedrick," *The James Sprunt Historical Publications*, vol. 10 (Chapel Hill: Univ. of North Carolina Press, 1910), 30-32.

12. Thomas North, *Five Years in Texas* (Cincinnati: Elm Street Printing Co., 1871), 72. In fact, as late as 1845, Texans suspected Mexican emissaries of infiltrating Texas in an attempt to incite a slave rebellion. Paul D. Lack, "Urban Slavery in the Southwest" (PhD diss., Texas Tech Univ., 1973), 135-36.

13. H. P. N. Gammel, comp., *The Laws of Texas 1822-1855*, 10 vols. (Austin: Gammel Book Co., 1898), vol. 4, 99-100; Frank H. Dugan, "The 1850 Affair of the Brownsville Separatists," *Southwestern Historical Quarterly* 61 (Oct. 1957): 270-87, quote on p. 286; Paul D. Lack, "Slavery and Vigilantism in Austin, Texas, 1840-1860," *Southwestern Historical Quarterly* 75 (July 1981): 1-20; Ronnie C. Tyler, "The Callahan Expedition of 1855; Indians or Negroes," *Southwestern Historical Quarterly* 70 (April 1967): 574-85; Alwyn Barr, *Black Texans: A History of Negroes in Texas, 1528-1971* (Austin: Jenkins Publishing Co., 1973), 8-12.

14. Frederick Law Olmsted, *A Journey through Texas; or, A Saddle-Trip on the Southwestern Frontier* (reprint; New York: Burt Franklin, 1860; Austin: Univ. of Texas Press, 1978); Laura Wood Roper, "Frederick Law Olmsted and the Western Texas Free-Soil Movement," *American Historical Review* 56 (Oct. 1950): 58-64; Denison to Sister Eliza, January 12, 1856, James A. Padgett, ed. "Some Letters of George Stanton Denison, 1854-1866 . . ." *Louisiana Historical Quarterly* 23 (Oct. 1940): 1159.

15. Harvey Wish, "The Slave Insurrection Panic of 1856," *Journal of Southern History* 5 (May 1939): 206-22, 208; *Clarksville Standard*, November 29, 1856; Ledbetter, "Slave Unrest and White Panic," 339, 336; Gammel, *Laws of Texas*, vol. 4, 499-500.

16. *Austin State Gazette*, November 15, 1856; Speech of Anson Jones delivered at Washington, Texas, on July 29, 1856, typescript in Anson Jones Papers, Barker Texas History Center.

17. *Galveston Weekly News*, April 14, 1857, in Frank H. Smyrl, "Unionism, Abolitionism, and Vigilantism in Texas, 1856-1865" (MA thesis, Univ. of Texas, 1961), 33-34; *Dallas Herald*, October 26, 1859; *Brownsville Ranchero*, April 28 and May 5, 1860; Anna Irene Sandbo, "Beginnings of the Secession Movement in Texas," *Southwestern Historical Quarterly* 18 (July 1914): 73. For the occasional harassment of travelers suspected of being abolitionists, see Marilyn McAdams Sibley, *Travellers in Texas, 1761-1860* (Austin: Univ. of Texas Press, 1967), 130-51.

18. Quoted in Marilyn McAdams Sibley, *Lone Stars and State Gazettes* (College Station: Texas A & M Univ. Press, 1983), 284; *Marshall Texas Republican*, August 25, 1860; *Paris Press*, August 18, 1860, copied by *Marshall Texas Republican*, August 22, 1860; *Austin Southern Intelligencer*, September 12, 1860; *San Antonio Alamo Express*, August 25, 1860.

19. Quoted in Sibley, *Lone Stars and State Gazettes*, 285; *State Gazette*, August 25, September 8, and September 1, 1860, and January 26, 1861. For the role of Texas newspapers during the insurrection scare, see Sibley, *Lone Stars and State Gazettes*, 276-89.

20. George Rawick, ed., *The American Slave: A Composite Autobiography* (Westport, CT: Greenwood Publishing Co., 1972), supp. 2, vol. 8, pt. 7, 2982-83. Billy Don Ledbetter argues that Texans' fears of the race conflict and chaos that would accompany emancipation led them to reject their previously strong support for the Union. The apparent increase in slave unrest during the late 1850s foreshadowed the future if the Republicans gained power. "Slavery, Fear, and Disunion in the Lone Star State: Texans' Attitudes toward Secession and the Union, 1846-1861" (PhD diss., North Texas State Univ., 1972), 36-63, 150-224.

21. *San Antonio Alamo Express*, February 16, 1861.

2. ANTEBELLUM DISSENTERS IN TEXAS

1. Amelia H. Barr, *All the Days of My Life: An Autobiography* (New York: D. Appleton and Co., 1913), 220.

2. The development of disloyalty is, in some ways, more difficult to explain than the development of loyalty. Most people are loyal to their country, either because they

heartily support its policies, because their economic or political self-interest requires their loyalty, or simply because inertia keeps them on the right side of the treason laws. Acting disloyally is hard work and attaches a terrible stigma to the actor. As Morton Grodzins writes, "By inclination or by default, most men are patriots." *The Loyal and the Disloyal: Social Boundaries of Patriotism and Treason* (Chicago: Univ. of Chicago Press, 1956), 20-35.

3. This summary and much of the discussion that follows is based on Buenger, *Secession and the Union*. The white reaction to the slave "insurrection" lent to secession in Texas an element of the passion described by Channing in *Crisis of Fear*. The "official" opinions on secession of the southern rights and Unionist factions are set out in the majority and minority reports, respectively, of the Committees on Federal Relations of the State Senate and House of Representatives. The reports dealt with the response Texas should make to the South Carolina Resolutions of late 1859, which declared the right of secession, urged a convention of southern states, and appropriated \$100,000 for military protection. See State of Texas, *Journal of the Senate, Eighth Legislature* (Austin: State Printer, 1860), 516-17 (Majority report), 524-26 (Minority report) and State of Texas, *Journal of the House of Representatives, Eighth Legislature* (Austin: State Printer, 1860), 634-35 (Majority report), 636-37 (minority report).

4. Julia Lee Hering, "The Secession Movement in Texas" (MA thesis, Univ. of Texas, 1933), 1-30; Oran Lonnie Sinclair, "Crossroads of Conviction: A Study of the Texas Political Mind, 1856-1861" (PhD diss., Rice Univ., 1975), 2-25. For the debate in Texas over the reopening of the African slave trade, see Earl Wesley Fornell, *The Galveston Era: The Texas Crescent on the Eve of Secession* (Austin: Univ. of Texas Press, 1961), 215-30, and Ronald T. Takaki, *A Pro-Slavery Crusade: The Agitation to Reopen the African Slave Trade* (New York: The Free Press, 1971), 180-85. For an early indication of Texas's unity with the rest of the South, see Randolph B. Campbell, "Texas and the Nashville Convention of 1850," *Southwestern Historical Quarterly* 76 (July 1972): 1-14. For the states' rights planks from the platforms of the Texas Democrats, see Ernest W. Winkler, ed., *Platforms of Political Parties in Texas* (Austin: Bulletin of the Univ. of Texas, no. 53, 1916), 48 (1848), 66-68 (1856), 76 (1858), 79 (1859), 82-83 (1860). For the gradual erosion of antiseccession sentiment in South Carolina and Mississippi during the 1850s, see Harold S. Schultz, *Nationalism and Sectionalism in South Carolina, 1852-1860; A Study of the Movement for Southern Independence* (Durham, NC: Duke Univ. Press, 1950) and Percy Lee Rainwater, *Mississippi: Storm Center of Secession, 1856-1861* (Baton Rouge: Otto Claitor, 1938).

5. Sandbo, "Beginnings of the Secession Movement," 56-66; Hering, "Secession Movement in Texas," 30. For the importance of the threat from Indians in determining the political alignment of voters in West Texas, see Charles Ramsdell, "The Frontier and Secession," *Studies in Southern History and Politics* (New York: Columbia Univ. Press, 1914), 63-79, and Buenger, *Secession and the Union*, 106-18.

6. *Brownsville Ranchero*, November 17, 1860; Allan to D. G. Osborn, November 10, 1860, John T. Allan Letterbook, Barker Texas History Center; *Indianola Courier*, November 24, 1860; *Brownsville Ranchero*, December 1, 1860; *Navarro Express*, November 16, 1860, quoted in Felgar, "Texas in the War," 22-23; *Indianola Courier*, December 1, 1860.

7. Buenger, *Secession and the Union*, 141-58; Frank Brown, "Annals of Travis County and of the City of Austin (from the Earliest Times to the Close of 1875)," chap. 21, 8, Austin History Center, Austin Public Library; Ernest W. Winkler, ed., *Journal of the Secession Convention of Texas, 1861* (Austin: Austin Printing Co., 1912), 85; Hering, "Secession Movement in Texas," 75-116. For the long, uncertain process of secession in Virginia and Arkansas, see Henry T. Shanks, *The Secession Movement in Virginia*,

1847-1861 (Richmond, VA: Garrett and Massie, 1934) and Jack B. Scroggs, "Arkansas in the Secession Crisis," *Arkansas Historical Quarterly* 12 (Autumn 1953): 179-224.

8. *Austin State Gazette*, February 16 and February 23, 1861. For the *State Gazette's* role in the secession movement, see Gage, "Texas Road to Secession and War," 191-226.

9. Buenger, *Secession and the Union*, 2; *San Antonio Alamo Express*, March 2, 1861; Gilbert D. Kingsbury, "Lectures, Reports, and Writings, Vol. 2, 1855-1867," 20, Gilbert D. Kingsbury Papers, Barker Texas History Center; Anson Mills, *My Story* (Washington, D.C.: Press of Byron S. Adams, 1918), 76-77.

10. James P. Newcomb, *Sketch of Secession Times in Texas* (San Francisco, 1863), 8; *Dallas Herald*, February 27, 1861; Hering, "Secession Movement in Texas," 139-56. For a dramatic and readable narrative of secession in Texas, see T.R. Fehrenbach, *Lone Star: A History of Texas and the Texans* (New York: Macmillan, 1968), 327-49.

11. J. Walker Austin to "Son," March 22, 1861, J. Walker Austin Papers, Barker Texas History Center.

12. *Clarksville Standard*, June 4, 1859, quoted in Sibley, *Lone Stars and State Gazettes*, 273. Useful summaries of southern Unionism appear in Eaton, *The Freedom-of-Thought Struggle*, 376-407, and Degler, *The Other South*, 99-187.

13. Walter Buenger explains the differences between secessionists and Unionists in terms of their cultural backgrounds. Men who had immigrated from the lower South or who participated in the plantation economy of southern and eastern Texas tended to be secessionists; those who came from states in the upper South and were less reliant on plantation agriculture, such as farmers or professional men in the northern and western parts of the state, tended to be Unionists. The latter group found themselves increasingly outnumbered during the years immediately preceding the war, and gradually most upper-South types accepted secession and cast their lot with the lower-South secessionists. Buenger, *Secession and the Union*, esp. pp. 62-79.

14. Houston to A. Daly, August 14, 1860, Amelia W. Williams and Eugene C. Barker, eds., *The Writings of Sam Houston, 1813-1863*, vols. 7-8 (Austin: Jenkins Publishing Co., 1970), vol. 8, 119; Andrew Jackson Hamilton, *Speech of Hon. Andrew J. Hamilton, of Texas, on the State of the Union* (Washington, D.C.: Lemuel Towers, 1861), 16. Like Houston and Hamilton, other Unionist southern Democrats believed slavery was safer within their beloved Union than outside it. See Craven, *Coming of the Civil War*, 403-7; Lillian Adele Kibler, "Unionist Sentiment in South Carolina in 1860," *Journal of Southern History* 4 (Aug. 1938): 346-66; and Channing, *Crisis of Fear*, 167-226.

15. A. B. Burleson to Capt. E. Burleson, November 19, 1860, Edward Burleson, Jr., Papers, Barker Texas History Center.

16. For a useful description of Jacksonian Democrats in Texas, see Buenger, *Secession and the Union*, 22-24.

17. An excellent definition of conservative Unionists can be found in Herbert J. Doherty, Jr., "Union Nationalism in Georgia," *Georgia Historical Quarterly* 37 (March 1953): 18-38; for their opinions on economic issues, see Robert R. Russell, *Economic Aspects of Southern Sectionalism, 1840-1861* (Urbana: Univ. of Illinois Press, 1924), 58, 85, 87, 179; for their opposition to the controversial question of reopening the African slave trade, see Takaki, *A Pro-Slavery Crusade*, 103-33.

18. Arthur Charles Cole, *The Whig Party in the South* (Washington, D.C.: American Historical Association, 1914; Gloucester, MA: Peter Smith, 1962), 277-308, 309-43; Degler, *The Other South*, 105-16; W. Darrell Overdyke, *The Know-Nothing Party in the South* (Baton Rouge: Louisiana State Univ. Press, 1950), 16-33, 73-90, 127-28, 281-95; Litha Crews, "The Know Nothing Party in Texas" (MA thesis, Univ. of Texas at Austin, 1925), 112-60; *McKinney Messenger*, September-November, 1860; *San*

Antonio Alamo Express, September 3, 1860; Buenger, *Secession and the Union*, 22-44; James A. Baggett, "The Constitutional Union Party in Texas," *Southwestern Historical Quarterly* 82 (Jan. 1979): 233-64; Smyrl, "Unionism in Texas," 172-95. For an excellent analysis of the various strands of Whig ideology and interest, see Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: Univ. of Chicago Press, 1979), 238-62.

19. "Address to the People of Texas," Broadside, Robert H. Taylor Papers, Barker Texas History Center. Many newspapers around Texas printed the address. The men who attached their names to the document were: State Senators Martin D. Hart, I.A. Paschal, Emory Rains, and J.W. Throckmorton; State Representatives M.L. Armstrong, Sam Bogart, L.B. Camp, W.A. Ellett, B.H. Epperson, John Hancock, John L. Haynes, J.E. Henry, T.H. Mundine, A.B. Norton, W.M. Owen, Sam J. Redgate, Robert H. Taylor, and G.W. Whitmore; and Convention Delegates Joshua F. Johnson, John D. Rains, A.P. Shuford, L.H. Williams, George W. Wright, and William H. Johnson.

20. George Durham to O.M. Roberts, March 8, 1861, O.M. Roberts Papers, Barker Texas History Center; *Austin Southern Intelligencer*, March 27, 1861; *McKinney Messenger*, March 1, 1861; Barr, *All the Days of My Life*, 226-27.

21. Abraham Enloe to John Enloe, January 6, 1861, Abraham Enloe File, Civil War Miscellany, Barker Texas History Center.

22. *Corpus Christi Ranchero*, January 21, June 9, and November 10 and 25, 1860; January 19, February 2, and April 13 and 20, 1861. For a brief description of conditional unionism in the South, see Degler, *The Other South*, 124-25. Secessionists and unconditional unionists fit the characteristics of what Morton Grodzins calls *traitriots*, those persons who renounce their country because it has somehow forsaken the values for which they loved it or who remain consistent to principles or values that become more important to them than national loyalty. Secessionists withdrew their loyalty to the United States because their northern enemies had perverted the principles set forth by the founding fathers in the Constitution so that it no longer protected the property and rights of southerners. Unconditional unionists ignored the Confederate government's demands for their loyalty and remained true to the principles that they believed the United States still represented. Grodzins, *The Loyal and the Disloyal*, 208-16.

23. U.S. Bureau of the Census, *Population of the United States in 1860: Compiled from the Original Returns of the Eighth Census* (Washington, D.C.: Government Printing Office, 1864), 486. Much of the following is drawn from the excellent discussion of the ethnic element in Texas politics and secession in Buenger, *Secession and the Union*, 80-105.

24. Buenger, *Secession and the Union*, 81; A.E. Zucker, ed., *The Forty-eighters: Political Refugees of the German Revolution of 1848*. (New York: Columbia Univ. Press, 1950), 3-25, 43-78, 111-56; Zoie Odom Newsome, "Antislavery Sentiment in Texas, 1821-1861" (MA thesis, Texas Technological College, 1968), 63-64. For a recent work on German colonization in Texas, see Bobby D. Weaver, *Castro's Colony: Empresario Development in Texas, 1842-1865*. (College Station: Texas A & M Univ. Press, 1985). For the causes of German migration, see Terry G. Jordan, *German Seed in Texas Soil: Immigrant Farmers in Nineteenth Century Texas* (Austin: Univ. of Texas Press, 1966), 32-54. The small groups of Norwegians, Poles, Czechs, French, and Alsatian immigrants in Texas also tended to oppose slavery. Newsome, "Antislavery Sentiment," 68-70.

25. Rena Mazyck Andrews, "German Pioneers in Texas: Civil War Period" (MA thesis, Univ. of Chicago, 1929), 29, translation of San Antonio platform on pp. 29-31; E.R. Tausch, "Southern Sentiment among the Texas Germans during the Civil War and

Reconstruction" (MA thesis, Univ. of Texas, 1965), 1-53; Rudolph L. Bieseke, *The History of the German Settlements in Texas, 1831-1861* (Austin: Von Boeckmann-Jones Co., 1930), 191-207; Ella Lonn, *Foreigners in the Confederacy* (Chapel Hill: Univ. of North Carolina Press, 1940), 417-23. A good narrative of the events surrounding the Germans' meeting in San Antonio is in Rudolph L. Bieseke, "The Texas State Convention of Germans in 1854," *Southwestern Historical Quarterly* 33 (April 1930): 247-61.

26. *Austin State Gazette*, July 29, 1854; *Dallas Herald* quoted in *State Gazette*, May 20, 1854; Olmsted, *A Journey through Texas*, 328-29, 439. Despite Olmsted's observations, Terry Jordan asserts that the Germans' antiseccessionism stemmed less from abolitionism and Unionism than from their lack of interest in East Texas concerns and their fear of losing federal protection from the Indians. Jordan, *German Seed in Texas Soil*, 180-85, 194.

27. Ada Maria Hall, "The Texas Germans in State and National Politics, 1850-1865" (MA thesis, Univ. of Texas, 1938), 103-08; Robert W. Shook, "German Unionism in Texas during the Civil War and Reconstruction" (MA thesis, North Texas State Univ., 1957), 31-32.

28. Walter L. Buenger, "Secession and the Texas German Community: Editor Lindheimer vs. Editor Flake," *Southwestern Historical Quarterly* 82 (April 1979): 379-402, quotes on pp. 395, 396.

29. Gideon Lincecum to D.B. and Emily Moore, August 15, 1860, Lincecum Collection; Buenger, *Secession and the Union*, 67 (the counties and the percentages against secession were Fayette, 52; Gillespie, 96; Mason, 97; and Medina, 60), 99-100. For more on the southern Know-Nothings' program of connecting foreigners to anti-slavery, see Overdyke, *The Know-Nothing Party*, 198-210.

30. U.S. Census, *Population of the United States in 1860*, 490; Buenger, *Secession and the Union*, 85; Bette Gay Ash, "The Mexican Texans in the Civil War" (MA thesis, East Texas State Univ., 1972), 11-36; Arnoldo DeLeón, *They called Them Greasers: Anglo Attitudes towards Mexicans in Texas, 1821-1900* (Austin: Univ. of Texas Press, 1983), 49-62, 75-86; Carey McWilliams, *North from Mexico: The Spanish-speaking People of the United States* (New York: Greenwood Press Reprint, 1968), 98-108; LeRoy P. Graf, "The Economic History of the Lower Rio Grande Valley, 1820-1875" (PhD diss., Harvard Univ., 1942), 369-76; John Denney Riley "Santos Benavides: His influence on the Lower Rio Grande, 1823-1891" (PhD diss., Texas Christian Univ., 1976), 89-100. For the early history of the religious and political conflicts between Anglos and tejanos, see Samuel H. Lowrie, *Culture Conflict in Texas, 1821-1835* (reprint; New York: AMS Press, 1967).

31. *Corpus Christi Ranchero*, September 3, 1863, quoted in Riley, "Santos Benavides," 116; Ronnie C. Tyler, "Slave Owners and Runaway Slaves in Texas" (MA thesis, Texas Christian Univ., 1966). For examples of the sorts of machinations Anglos used to defraud Mexican landowners, see U.S. Congress, House, *The Impeachment of Judge Watrous*, 34th Cong. 3d sess., 1856-1857, H. Rept. 175 (Serial 913). Watrous, a United States District Judge in Texas, had validated shady Anglo land titles that violated state law. The House did not convict him.

32. Olmsted, *A Journey through Texas*, 245, 160-65, 325; Rawick, *American Slave*, vol. 4, pt. 2, 132; Olmsted, *A Journey through Texas*, 456, 245.

33. David Montejano, *Anglos and Mexicans in the Making of Texas, 1836-1986* (Austin: Univ. of Texas Press, 1987), 26-29, 30-37.

34. DeLeón, *They Called Them Greasers*, 82-83; *Corpus Christi Ranchero*, November 11, 1859; *Navarro Express*, November 26, 1859. For a sympathetic interpretation of Cortina, see Charles W. Goldfinch, "Juan N. Cortina, 1824-1892: A Reappraisal" (MA thesis, Univ. of Chicago, 1949), in Carlos E. Cortes, ed., *Juan N. Cortina: Two Interpretations* (New York: Arno Press, 1974). For a summary of the

problems caused by white conflicts with Indians and Mexicans along the border, see U.S. Congress, House, 36th Cong., 1st sess., 1859-1860, H. Exec. Doc. 57 (Serial 1050), esp. pp. 19-23, 31-142.

35. Many Germans, who chose to be disloyal to the Confederacy because giving their allegiance to it would violate their moral principles, were, in effect, *traitriots* (see n. 22, above). Other Germans, and most Mexicans, saw no reason to actively oppose the Confederacy until wartime conscription, taxes, or hardships drove them to resistance. The "gratifications" they received for remaining loyal to Texas and the Confederacy had disappeared, thereby removing any motivation to devote their time and effort to the Confederate cause. As a result, they found other outlets for their loyalty—usually their families, or, in a few cases, the Union army. For a discussion of how "life-situations" affect loyalty, see Grodzins, *The Loyal and the Disloyal*, 132-52. See also Harold Guetzkow, *Multiple Loyalties: Theoretical Approach to a Problem in International Organization* (Princeton, NJ: Center for Research on World Political Institutions, 1955), esp. "Loyalty as Means," "Loyalties as End-Values," and "Loyalties as Conformity," pp. 19-22, 24-28.

36. Grodzins, *The Loyal and the Disloyal*, 28-30.

37. Allan to D. G. Osborn, April 19, 1861, Allan Letterbook.

3. CONFEDERATE UNIONISTS AND THE WAR

1. Fehrenbach, *Lone Star*, 344-45. See also Buenger, *Secession and the Union*, 148. The men in the photograph with Throckmorton are A.P. Shuford, Lemuel H. Williams, Joshua Johnson, William H. Johnson, George W. Wright, and Thomas P. Hughes. The eighth man to vote against secession was John D. Rains. The Austin History Center at the Austin Public Library owns a print of the original.

2. Claude Elliott, *Leathercoat: The Life of James W. Throckmorton* (San Antonio: Standard Printing Co., 1938), 5-12, 16, 42.

3. *Ibid.*, 15-40, 41-62, 59; Buenger, *Secession and the Union*, 67; *Clarksville Standard*, May 11, 1861.

4. Elliot, *Leathercoat*, 63-98.

5. The original letter, dated January 19, 1862, is in the Benjamin H. Epperson Papers, Barker Texas History Center. It has also been published in James Marten, ed., "The Lamentations of a Whig: James Throckmorton Writes a Letter," *Civil War History* 31 (June 1985): 163-70.

6. Throckmorton to Epperson, February 5, 1864, Epperson Papers.

7. Throckmorton to Epperson, June 18, 1864, Epperson Papers; Throckmorton to Murrah, December 20, 1864, Pendleton Murrah Papers, Governors' Records, Texas State Archives, Austin, Texas.

8. Throckmorton to Epperson, November 3, 1864, Epperson Papers; Texas Legislature, *Resolutions of the State of Texas, Concerning Peace, Reconstruction, and Independence* (Austin: State Printer, 1865). The published proceedings are not nearly so dramatic as Throckmorton's description of them. James M. Day, ed., *Senate Journal of the Tenth Legislature, Second Called Session* (Austin: Texas State Library, 1966), 36-37.

9. Alfred Huger to Benjamin F. Perry, November 27, 1860, Benjamin F. Perry Papers, Ramsdell Microfilm Collection, Barker Texas History Center; Vance to G.N. Folk, January 9, 1861, in Frontis W. Johnston, ed., *The Papers of Zebulon Baird Vance*, vol. 1 (Raleigh, NC: State Department of Archives and History, 1963), 81-83; May 3, 1861, John W. Brown Diary, Southern Historical Collection, University of North Carolina at Chapel Hill; Stephens to Samuel R. Glenn, February 8, 1861, quoted in Doherty, "Union Nationalism in Georgia," 38.

10. Glenn Tucker, *Zeb Vance: Champion of Personal Freedom* (Indianapolis, IN: Bobbs-Merrill Co., 1965), 107-410; Lillian Adele Kibler, *Benjamin F. Perry, South Carolina Unionist* (Durham, NC: Duke Univ. Press, 1946), 274, 347-70.

11. Rawick, *American Slave*, supp. 2, vol. 10, pt. 9, 4233-34.

12. Walter P. Webb, ed., *Handbook of Texas*, vols. 1 and 2 (Austin: Texas State Historical Association, 1952), vol. 1, 861; vol. 2, 913-14; E. L. Dohoney, *An Average American* (Paris, TX: E. L. Dohoney, n.d. [ca. 1900]), 73, 123.

13. Taylor's speech appeared alongside the Unionists' "Address to the People of Texas." See "Address to the People of Texas," Taylor Papers; Taylor to Epperson, November 20, 1861, Epperson Papers; Webb, *Handbook of Texas*, vol. 2, 716. A letter from Mrs. C. G. Long to Llerena Friend in the Robert H. Taylor Biographical File, Barker Texas History Center, reveals that Taylor left few papers other than two pages of heavy paper, on one of which is written "I am against secession," and on the other "Too bad Texas out."

14. Ralph A. Wooster, "Ben H. Epperson: East Texas Lawyer, Legislator, and Civic Leader," *East Texas Historical Journal* 5 (March 1967): 29-42.

15. Buenger, *Secession and the Union*, 67; *Clarksville Standard*, April 27, June 15, and October 5, 1861; Wooster, "Ben H. Epperson," 34.

16. Webb, *Handbook of Texas*, vol. 2, 938; *Austin American*, September 2, 1954, in Thomas F. McKinney Biographical File, Barker Texas History Center; McKinney to Tom, Ballinger, and Guy, November 22, 1860, quoted in Hering, "Secession Movement in Texas," 46. Another veteran of the Texas navy, James G. Hurd, opposed secession, but remained at his home in Galveston and served as an unofficial protector of the families and property of soldiers in the service. *History of Texas, Together with a Biographical History of the Cities of Houston and Galveston* (Chicago: Lewis Publishing Co., 1895), 625-26.

17. Winkler, *Platforms of Political Parties*, 51; *Corpus Christi Ranchero*, March 30, 1861. For an overview of Houston's opinions and actions during this period, see Edward R. Maher, Jr., "Sam Houston and Secession," *Southwestern Historical Quarterly* 55 (April 1952): 448-58.

18. Houston to George W. Paschal, June 3, 1859; Speech in the Senate concerning the Pacific Railroad and Other Matters, January 12-13, 1859; Synopsis of a speech at Danville, September 11, 1858; Houston to H. M. Watkins and others, November 20, 1860; Speech at Brenham, Texas, March 31, 1861: all in Williams and Barker, *Writings of Houston*, vol. 7, 339-40, 211, 185; vol. 8, 195, 298-99. For Houston's economic arguments against reopening the African slave trade, see his Speech at Nacogdoches, July 9, 1859, *ibid.*, vol. 7, 347.

19. Maher, "Sam Houston and Secession," 448, 458; State of Texas, *Journal of the House of Representatives, Extra Session of the Eighth Legislature* (Austin: State Printer, 1861), 25.

20. Houston's Message to the Secession Convention, January 31, 1861; Houston's Message to the People of Texas, March 16, 1861; Houston's Speech at Independence, May 10, 1861: all in Williams and Barker, *Writings of Houston*, vol. 8, 47, 275, 301-2.

21. Maher, "Sam Houston and Secession," 456-57; March 9, 1862, William Pitt Ballinger Diary, Barker Texas History Center.

22. Houston to S. M. Swenson, August 14, 1862, in Williams and Barker, *Writings of Houston*, vol. 8, 320-22; Joseph E. Chance, *The Second Texas Infantry: From Shiloh to Vicksburg* (Austin: Eakin Press, 1984), 101; Gary Wilson, "The Ordeal of William H. Cowdin and the Officers of the Forty-second Massachusetts Regiment: Union Prisoners in Texas," *East Texas Historical Journal* 23 (1986): 19; Chance, *The Second Texas Infantry*, 5.

23. Smyth to John Reagan, May 21, 1859; Smyth to McKinney, July 19, 1859; Smyth to E. H. Cushing, November 12, 1860; Harvey Allen to Smyth, April 22, 1860; Smyth to Cushing, November 12, 1860: all in George W. Smyth Papers, Barker Texas History Center.

24. Fornell, *The Galveston Era*, 148-50, 215-16, 277, quote on p. 281; September 1, 1860, Ballinger Diary; Ben C. Stuart, "Hamilton Stuart: Pioneer Editor," *Southwestern Historical Quarterly* 21 (April 1918): 386.

25. Cavitt to Andrew Johnson, September 7, 1865, Josephus Cavitt Papers, Barker Texas History Center.

26. Bellew to Hamilton, July 13, 1865, Andrew Jackson Hamilton Papers, Governors' Records, Texas State Archives; Ike Moore, ed., *The Life and Diary of Reading Wood Black* (Uvalde, Texas: El Progreso Club, 1934), 27-29.

27. Webb, *Handbook of Texas*, vol. 1, 861; Howell R. Hughes, "Life of an East Texas Pioneer, Reece Hughes," typescript, Barker Texas History Center.

28. John A. Maretta, "William Pitt Ballinger: Public Servant, Private Pragmatist" (Ph.D. diss., Rice Univ. 1985), 1-50.

29. December 31 and 30, 1860, Ballinger Diary. Ballinger knew most of the influential Texans of his time, and the typescript copy of his diary and its detailed index, both located in the Barker Center, are invaluable to historians of Texas during the late antebellum, Civil War, and Reconstruction periods.

30. August 1, 1859, August 23, September 8, November 14, November 15, December 8, December 31, 1860: all in Ballinger Diary. Ballinger's most recent biographer, John A. Maretta, inexplicably asserts in his useful dissertation that Ballinger "committed himself to doing all that was necessary to prevent the dissolution of the Union." Maretta, "William Pitt Ballinger," 50.

31. Maretta, "William Pitt Ballinger," 158-203; December 30, 1860, October 24, 1861; June 12 and February 26, 1863; January 31, 1863; all in Ballinger Diary. For the workings of the Confederate sequestration act, see T. R. Havins, "Administration of the Sequestration Act in the Confederate District Court for the Western District of Texas, 1862-1865," *Southwestern Historical Quarterly* 43 (Jan. 1940): 295-322.

32. Ballinger to Paschal, letter fragment, May 8, 1863, William Pitt Ballinger Papers, Barker Texas History Center.

33. December 31, 1860, Ballinger Diary. See also his entry for July 29, 1863.

34. James A. Creighton, *A Narrative History of Brazoria County* (Waco, TX: Texian Press, 1975), 17, 18; Webb, *Handbook of Texas*, Vol. 1, 141; *A Sketch of the Life of Hon. James H. Bell: Memorial Proceedings Had in the Supreme Court of Texas in Respect to the Memory of Hon. James H. Bell* (Austin, 1893).

35. James H. Bell, *Speech of Hon. James H. Bell, of the Texas Supreme Court, Delivered at the Capitol on Saturday, December 1st, 1860* (Austin: Intelligencer Book Office, 1860). Bell admitted in the customary letter accepting the honor of publishing his speech that he would be called a free-soiler and an abolitionist "by those who think that the greatest political offence of which a man can be guilty, is to differ from them in opinion."

36. Bell to Epperson, February 22, 1865, Epperson Papers.

37. Hebert proclaimed martial law on May 30, 1862, in order to facilitate the enforcement of the conscription act in Texas. President Davis, claiming that only the president had the power to proclaim martial law, nullified the order on September 12, 1862. *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, D.C.: Government Printing Office, 1880-1901), ser. 1, vol. 9, 715-16 (hereafter cited as OR, followed by series, volume, part [when necessary], and page numbers); Felgar, "Texas in the War," 204-6; May 24, 1862, Ballinger Diary.

38. An unsigned editorial in the March 23, 1864, *Houston Daily Telegraph* is apparently the editorial to which Ballinger refers in his March 23 diary entry.

39. *The Supreme Court of Texas on the Constitutionality of the Conscript Laws* (Houston: Telegraph Book and Job Establishment, 1863). The decision arose in response to a plea for a writ of habeas corpus from a man who believed he was illegally held when he resisted conscription. The case: *Exparte Frank H. Coapland*. His lawyers: George W. Paschal and John Hancock.

40. March 22, 1863, Ballinger Diary. Ballinger failed to note what arguments he used or to whom he sent the letter. For his personal life during the war, see his diary entries for February 3, June 12, and October 22, 1862, and January 13 and November 25, 1864.

41. February 22 and 23, 1863, Ballinger Diary.

42. February 23, 1862, Ballinger Diary. Eccles. 12:6-7 reads, "Or ever the silver cord be loosed, or the golden bowl be broken, or the pitcher be broken at the fountain, or the wheel broken at the cistern. Then shall the dust return to the earth as it was; and the spirit shall return unto God who gave it."

43. Throckmorton to Epperson, January 19, 1862, and February 5, 1864, Epperson Papers; Austin to "Johnson," September 2, 1861, Austin Papers.

44. The conservatism of these men resembles in some ways the conservative "Copperheads" of the Midwest. See especially Frank L. Klement, *The Copperheads in the Middle West* (Chicago: Univ. of Chicago Press, 1960) and *The Limits of Dissent: Clement Vallandigham and the Civil War* (Lexington: Univ. Press of Kentucky, 1970).

4. UNIONISTS AS DISSENTERS

1. Works Projects Administration (WPA), *St. David's through the Years* (Austin: Betty Gilmer Chapter of St. David's Guild, 1942), 26-31; Webb, *Handbook of Texas*, vol. 1, 691.

2. WPA, *St. David's through the Years*, 32-35.

3. Wilson Gregg, *Alexander Gregg: First Bishop of Texas* (Sewanee, TN: The University Press at the Univ. of the South, 1912), 3-4; WPA, *St. David's through the Years*, 35-37. The 1860 census reveals that Greg owned 31 slaves on the eve of the Civil War.

4. Lucadia Pease to her sister, April 20, 1861, Lucadia Pease Papers, Austin History Center; August 23, 1863, Thomas DuVal Diary, Barker Texas History Center.

5. WPA, *St. David's through the Years*, 36-39; Charles Gillette, *A Few Historic Records of the Church in the Diocese of Texas, during the Rebellion* (New York: John A. Gray and Green, 1865), 11-19, 35-36.

6. WPA, *St. David's through the Years*, 39-41.

7. For the isolated positions of Southern Whigs and for the strength of North Carolina's Whig Unionists, see Howe, *Political Culture of Whigs*, 252-55, and Marc W. Kruman, *Parties and Politics in North Carolina, 1836-1865* (Baton Rouge: Louisiana State Univ. Press, 1983), 180-221. For the commitment of National Democrats in the South to preserving the political system, see Joel H. Silbey, "The Southern National Democrats, 1845-1861," *Mid-America* 47 (July 1965): 176-90. Walter L. Buenger argues that while Whigs felt a sentimental attachment to the Union, Democrats stressed the pragmatic benefits of membership in the Union. Whig nationalism survived through 1860 and early 1861; Democrats were much more likely before that time to have decided that the advantages of staying in the Union had vanished. Buenger, "Texas and the Riddle of Secession," 151-82. It could be argued that the toughest Democratic Unionists in Texas shared the Whigs' romantic attachment to the Union.

8. Zenas R. Bliss Reminiscences, Barker Texas History Center, 41; *San Antonio*

Weekly Herald, March 3, 1862; *Austin State Gazette*, February 2, 1861; N. G. Shelley to Roberts, March 6, 1862, Roberts Papers; Alwyn Barr, ed., "Records of the Confederate Military Commission in San Antonio, July 2–October 10, 1862," *Southwestern Historical Quarterly* 70 (July 1966): 94–95.

9. *Marshall Texas Republican*, December 8, 1860. In his "Union Sentiment in Texas," 448–77, Claude Elliott subscribes to the theory that only one-third of the population of Texas was loyal to the Confederacy, one-third remained neutral, and one-third actively supported the United States. While this is probably accurate as far as it goes, it simplifies the situation. The percentage of Texans actively loyal to the Confederacy at any given time varied widely during the war, depending on how the war was currently affecting them and the rest of the South. Some Texans were quite loyal at the beginning of the war, but later found themselves opposed to one or more Confederate policies and turned against the Confederacy. Others, disliking the policies of emancipation or total war adopted by the United States, became resigned to the existence of the Confederate States and accepted their duties as loyal citizens.

10. John H. Aughey, *The Iron Furnace; or, Slavery and Secession* (Philadelphia: William S. and Alfred Martien, 1863), 145; *Parson Brownlow, and the Unionists of East Tennessee, with a Sketch of His Life* (New York: Beadle and Co., 1862), 48.

11. R. L. Abarr to "My dear Brother Joseph," *Western Journal of Commerce*, June 20, 1863, bound typescript, Barker Texas History Center. Andrew J. Hamilton, a better-known Texas Unionist, estimated in a speech in September 1862, that mobs had murdered two hundred Texas Unionists. *New York Tribune*, September 29, 1862.

12. *Clarksville Standard*, June 29, July 6, and June 22, 1861; *Marshall Texas Republican*, May 4, 1861; *Austin State Gazette*, October 28, 1863.

13. *Austin State Gazette*, March 9, 1861; *Clarksville Standard*, July 6, 1861; *Marshall Texas Republican*, June 8, 1861.

14. Dohoney, *An Average American*, 134–35; Darrell Debo, *Burnet County History*, vol. 1 (Austin, TX: Eakin Press, 1979), 35–36; J. L. Stambaugh and Lillian Stambaugh, *A History of Collin County, Texas* (Austin: Texas State Historical Association, 1958), 69; H. Smythe, *Historical Sketch of Parker County and Weatherford, Texas* (St. Louis, MO: Louis C. Lavat, 1877), 177–84; Brown, "Annals of Travis County," chap. 23, 52–53.

15. G. W. Whitmore to Hamilton, August 24, 1865; Jacob P. Halsey to Hamilton, September 14, 1865; Petition from "Loyal Citizens" of Goliad County, n.d.: all in Hamilton Papers, Governors' Records, Texas State Archives. For an anecdotal account of Unionism and conflict in the hill country west of Austin, see "Guerrilla Warfare in Hills about Austin when Sympathizers with Union Opposed Secession," Harold Preece Scrapbook, Austin Chronological File, 1862, Austin History Center.

16. Barr, "Records of the Confederate Military Commission," 70 (Oct. 1966): 289–313.

17. *Ibid.*, 73 (July 1969): 91–104. McKean was later released.

18. "Common Sense," Clippings File, Reuben G. White Family Collection, Barker Texas History Center; September 24, 1863, DuVal Diary.

19. Felgar, "Texas in the War," 299–323.

20. Bliss Reminiscences, 59, 32; McLane to Messrs Tunstall and Howell, March 1, 1861, Warrick Tunstall Papers, Barker Texas History Center; *San Antonio Weekly Herald*, August 17, 24, and 31, and September 14, 1861.

21. Webb, *Handbook of Texas*, vol. 2, 275; *San Antonio Alamo Express*, August 25, 1860, February 6 and May 3, 1861.

22. Lois Ellsworth, "San Antonio during the Civil War" (MA thesis, Univ. of Texas, 1938), 19–22; Bliss Reminiscences, 33–34; *Indianola Courier*, May 25, 1861.

James B. Newcomb published his version of the secession movement and a travelogue of his journey through Mexico in *Sketch of Secession Times in Texas*.

23. *Austin State Gazette*, September 21, 1861; George Denison to Salmon P. Chase, May 1862, Edward G. Bourne and Frederick W. Moore, eds., "Diary and Correspondence of Salmon P. Chase, . . ." *Annual Report of the American Historical Association for the Year 1902*, vol. 2 (Washington, D.C.: Government Printing Office, 1902), 300.

24. Baggett, "The Constitutional Union Party," 253, 249; Brown, "Annals of Travis County," chap. 21, 8-14; Winkler, *Journal of the Secession Convention*, 48-49.

25. The 261 names on the petition were taken from Brown, "Annals of Travis County," chap. 21, 9-14. Of these, 162 were located in the 1860 Travis County manuscript census. Recognizing that some voters may not have had the opportunity to sign the petition, I have added ten more well-known Travis County Union men, whose names did not appear on the petition. Data on wealth-holding came from the microfilm copies of the 1860 Travis County Census, Schedule One, located in the Texas State Archives in Austin. All other information came from Alice Duggan Gracy and Emma Gene Seale Gentry, comps., *Travis County, Texas: The Five Schedules of the 1860 Federal Census* (Austin: Privately printed, 1967). The population of Travis County in 1860 numbered 4892. White males over the age of twenty-one accounted for 1263 (25.8 percent) of the county's population, while the 172 known Unionists accounted for 13.6 percent of the white adult males.

26. Travis County offers a contrasting example to recent analyses of the origins of Unionists. Michael P. Johnson's examination of Georgia's drive to form a "Republic of Slaveholders" shows that most of that state's dissenters originated among conservative, aristocratic Whigs and nonslaveowning Democrats. Most North Carolina Unionists were Whigs, according to Marc W. Kruman; they managed to keep their state in the Union for so long primarily because, unlike most southern states by 1860, they had a viable party organization and a large popular following. Mississippi and Alabama Unionists, writes William L. Barney, came out of those groups whose large or small fortunes inhibited their interest in the expansion of slavery. Johnson, *Toward a Patriarchal Republic: The Secession of Georgia* (Baton Rouge: Louisiana State Univ. Press, 1977), 66-67, 100-101; Kruman, *Parties and Politics in North Carolina*, 180-221; Barney, *The Secessionist Impulse*, 97-100.

27. H. Robinson to the *Austin State Gazette*, April 27, 1861; Austin to "Son," March 22, 1861, Austin Papers; Alexander W. Terrell, "The City of Austin from 1839 to 1865," *Southwestern Historical Quarterly* 14 (Oct. 1910): 120; Terrell to Burleson, August 1861, Burleson Papers; Brown, "Annals of Travis County," chap. 23, 53; *Marshall Texas Republican*, July 12, 1862.

28. Charles Westmoreland to Hamilton, November 1, 1862, and Chase to Hamilton, August 27, 1863, Andrew Jackson Hamilton Papers, Letters, 1850-1907, vol. 1, Barker Texas History Center; Denison to Chase, September 19, 1862, Bourne and Moore, "Diary and Correspondence of Salmon P. Chase," 314-15; Enos Woofter to Hamilton, October 8, 1865, Hamilton Papers, Governors' Records, Texas State Archives.

29. *Dallas Herald*, November 8 and December 27, 1862.

30. John L. Waller, *Colossal Hamilton of Texas: A Biography of Andrew Jackson Hamilton* (El Paso: Texas Western Press, 1968), 3-33, 34-46. (For Johnson's choices during the secession crisis, see LeRoy P. Graf, "Andrew Johnson and the Coming of the War," *Tennessee Historical Quarterly* 19 [Sept. 1960]: 208-221; *Marshall Texas Republican*, November 1, 1862; Woofter to Hamilton, October 8, 1865, Hamilton Papers, Governors' Records, Texas State Archives; Leonard Pierce, Jr., to William Seward,

August 26, 1862, Matamoros Consular Dispatches, Ramsdell Microfilm Collection, Barker Texas History Center; Webb, *Handbook of Texas*, vol. 1, 723.

31. David Donald, ed., *Inside Lincoln's Cabinet: The Civil War Diaries of Salmon P. Chase* (New York: Longmans, Green and Co., 1954), 167; Andrew Hamilton, the "Speech of Hon. Andrew Jackson Hamilton, of Texas, on the Conditions of the South under Rebel Rule, and the Necessity of Early Relief to the Union Men of Western Texas," October 3, 1862, Barker Texas History Center; Hamilton, *Speech of Gen. A.J. Hamilton of Texas, at the War Meeting of Faneuil Hall* (Boston: T. R. Marvin and Son, 1863); Waller, *Colossal Hamilton*, 34-36; *New York Times*, October 3, 1862; *New York Tribune*, October 2, 1862; *Marshall Texas Republican*, November 1, 1862; Stanton to Hamilton, November 14, 1862, OR ser. 3, vol. 2, 782-83. For more examples of the reactions of New York newspapers to Hamilton, see the *Tribune* for September 29 and October 3, 1862, and the *Times* for October 4, 1862.

32. November 28, 1864, John Hancock Diary, Texas State Archives; Banks to Stanton, January 7, 1863, OR ser. 1, vol. 15, 642-43. See also Waller, *Colossal Hamilton*, 47-58.

33. Waller, *Colossal Hamilton*, 35, 56-57; *Austin State Gazette*, August 3, 1864. Hamilton's son John died in New Orleans, where the family lived for a time after the war. Obituary of John Hamilton, Scrapbook, Hamilton Papers, Barker Texas History Center.

34. For example, Hamilton's colleague as military governor, Edward Stanly of North Carolina, resigned after Lincoln issued the Emancipation Proclamation. A long-time Republican, he nevertheless believed that freeing and arming the slaves would prevent a peaceful reconstruction of the Union. Norman D. Brown, *Edward Stanly: Whiggery's Tarheel 'Conqueror'* (University: Univ. of Alabama Press, 1974), 249.

35. *Brownsville American Flag*, February 9 and March 17, 1860, John L. Haynes Scrapbook, Barker Texas History Center. For Haynes's thoughts on the Rio Grande troubles, see the Scrapbook in the John L. Haynes Papers, Barker Texas History Center, esp. pp. 12-18. Most of Haynes's articles appeared in the *Austin Southern Intelligencer*.

36. "Address to the People of Starr County," *Southern Intelligencer*, n.d., Haynes Scrapbook. A letter to the *New York Times* dated August 14, 1862, and signed "Tombigbee," presumably written by Haynes, assured northerners that the majority of southerners were not in favor of secession and would welcome reconstruction, as long as immediate emancipation did not become a war aim of the United States government. Haynes Scrapbook.

37. "Conciudadanos Del Condado De Starr," June 10, 1859, Haynes Scrapbook, translated by James Boyden; Brown, "Annals of Travis County," chap. 24, 64.

38. James D. Lynch, *The Bench and Bar of Texas* (St Louis, MO: Nixon-Jones Printing Co., 1885), 160-64; DuVal to James Guthrie, May 30, 1864, typescript, Thomas DuVal Papers, Barker Texas History Center; DuVal to A.J. Hamilton, March 16, 1874, Hamilton Papers, Barker Texas History Center; August 8, 1863, DuVal Diary. For DuVal's entertaining and unusually legible observations during his month-long trip from Austin to Washington—during which he discovered northern customs such as honeymoons and compared the beauty of women in the various cities in which he stayed—see his diary entries from October 10 to November 14, 1863.

39. August 3, March 30, March 20, April 25, and April 20, 1863; DuVal Diary.

40. March 28, August 10, May 11, May 26, and September 30, 1863; DuVal Diary.

41. November 21, 27, and 18, 1863, and January 20, 1864; DuVal Diary. For DuVal's account of his stay in Washington, see his diary entries for November 14 to December 2, 1863. For his experiences during the brief occupation of the Texas coast,

see his entries for December 26, 1863, to March 3, 1864. The surviving volumes of DuVal's diary skip from March 1864 to February 1865.

42. Lynch, *Bench and Bar*, 422-26; speech at LaGrange, quoted in Felgar, "Texas in the War," 41; Hancock to E. B. Burleson, Jr., April 16, 1861, photocopy in Burleson Papers; John Salmon Ford, *Rip Ford's Texas*, ed. Stephen B. Oates (Austin: Univ. of Texas Press, 1963), 333-34; Nannie M. Tilley, ed., *Federals on the Frontier: The Diary of Benjamin F. McIntyre, 1862-1864* (Austin: Univ. of Texas Press, 1963), 34; *Dallas Herald*, February 16, 1865; John Henry Brown, *Indian Wars and Pioneers of Texas* (Austin: L. E. Daniell, 1880), 253-54.

43. February 7, 1865, December 23, 28, and 29, 1864, Hancock Diary.

44. B. H. Mills, "Elisha Marshall Pease: A Biography" (MA thesis, Univ. of Texas, 1927); June 8, 1864, Ballinger Diary; *Marshall Texas Republican*, July 12, 1862. Pease has been a favorite of Texas graduate students. See also Robert Joseph Franzetti, "Elisha Marshall Pease and Reconstruction" (MA thesis, Southwest Texas State Univ., 1970), and Roger Allen Griffin, "Connecticut Yankee in Texas: A Biography of Elisha Marshall Pease" (PhD diss., Univ. of Texas, 1973).

45. Jane Lynn Scarborough, "George W. Paschal: Texas Unionist and Scalawag Jurisprudent" (PhD diss., Rice Univ., 1972), 1-38, 39-68; James P. Hart, "George W. Paschal," *Texas Law Review* 28 (Nov. 1949): 27-28; Elizabeth Paschal O'Connor, *I Myself* (New York: G. P. Putnam's Sons, 1914), 2-5, 16-19; *Weekly Southern Intelligencer*, November 16, 1865. For more on the Paschal-Marshall "duel," see Sibley, *Lone Stars and State Gazettes*, 269-71. For an explanation of his moderate views on slavery and his reluctance to see slavery become a national political issue, see Paschal's biography of his mother, *Ninety Four Years: Agnes Paschal* (Washington, D. C.: George W. Paschal, 1871), 277-86.

46. Paschal to Smyth, April 9, 1860, Smyth Papers; *McKinney Messenger*, September 14, 1860.

47. December 8, 1860, and April 28, 1863, Ballinger Diary, *Marshall Texas Republican*, September 13, 1862; O'Connor, *I Myself*, 28-32; January 28, 1864, DuVal Diary; Scarborough, "George W. Paschal," 72-87.

48. *Austin State Gazette*, October 1, 1862; Elizabeth Paschal O'Connor, *I Myself*, 31, and *My Beloved South* (New York: G. P. Putnam's Sons, 1913), 40; January 14, 1864, DuVal Diary.

49. Paschal to Ballinger, May 1, 1863, Ballinger Papers. For a sample of Ballinger's reaction to Paschal's gloominess, see chapter 3. The second section of the first article of the Confederate Constitution stated that "no person of foreign birth, not a citizen of the Confederate States, shall be allowed to vote for any officer, civil or political, State or Federal." Paschal's letter uncovers the same feelings exhibited by the South Carolina Unionist and attorney, James Louis Petigru, who also defended southerners caught with their disloyalty showing; he wrote in 1862 that he was "the only man of my way of thinking in the state." Petigru to J. J. Pettigrew, March 7, 1862, James Petigru Carson, ed., *Life, Letters, and Speeches of James Louis Petigru* (Washington, D. C., 1920), 436.

50. Charles C. Anderson found 634,255 white and black "southern federals" from the Confederate States and Missouri, Kentucky, Maryland, and the District of Columbia. *Fighting by Southern Federals* (New York: Neale Publishing Co., 1912). Southern white men made up eighty-five Union army regiments. Frederick H. Dyer, ed., *Compendium of the War of the Rebellion* (Des Moines, IA: Dyer Publishing Co., 1908), 21-34. The only state study on southerners fighting for the North is William Stanley Hoole's *Alabama Tories: The First Alabama Cavalry, U. S. A., 1862-1865* (Tuscaloosa, AL: Confederate Publishing Co., 1960), a large part of which consists of rosters of the various units of Alabama cavalymen.

51. "Index to the Compiled Service Records of Volunteer Union Soldiers Who

Served in Organizations from the State of Texas," Records of the Adjutant General's Office, Record Group 94, National Archives.

52. Webb, *Handbook of Texas*, vol. 1, 44; Charles Anderson, *Speech of Charles Anderson on the State of the Country* (Washington, D.C.: Lemuel Towers, 1860); Ellsworth, "San Antonio," 14-15; Col. Henry McCulloch to Brig. Gen. P.O. Hebert, October 4, 1861, OR ser. 1, vol. 4, 115; Mills, *My Story*, 57-64, 76-77; W. W. Mills, *Forty Years at El Paso* (El Paso: Carl Hertzog, 1962), especially the introduction by Rex W. Strickland, xi-xviii; Webb, *Handbook of Texas*, vol. 2, 201; Thaddeus McRae Autobiography, typescript, Thaddeus McRae Papers, Barker Texas History Center; *Houston Tri-Weekly Telegraph*, January 3, 1864.

53. H. C. Hunt, "The First Texas Cavalry of U.S. Volunteers—Its History," undated newspaper clipping, Haynes Scrapbook; Frank H. Smyrl, "Texans in the Federal Army, 1861-1865," *Southwestern Historical Quarterly* 65 (Oct. 1961): 234-50. All statistics on Texans in the Union Army have been compiled from the "Index to the Compiled Service Records." This record set consists of thousands of slips of paper on which were written a soldier's name, entering and exiting rank, company, and regiment. An effort was made to determine ethnic origins simply by looking at soldiers' surnames. This unscientific method may not guarantee exact results, but it does provide important comparisons of the wartime experiences of Anglo, German, and Mexican Unionists. One confusing characteristic of the compiled index is its proliferation of names; as various clerks tried to straighten out regimental files, they attempted to make sure that the names were spelled correctly. As a result, they filed a separate slip for every different misspelling of the same soldier's name. The problem is especially acute for Hispanic names; a name such as Rodríguez, shared by dozens of tejanos, might go through five or six different versions, creating a sea of identification slips through which a researcher must wade.

54. Ronald N. Gray, "Edmund J. Davis: Radical Republican and Reconstruction Governor of Texas" (PhD diss., Texas Tech Univ., 1976), 1-17; R.H. Williams, *With the Border Ruffians: Memories of the Far West, 1852-1868* ed. E.W. Williams (London: John Murray, 1908), 294.

55. *Corpus Christi Ranchero*, May 3, 1861; E.B. Scarborough to Edward Clark, May 8, 1861, Edward Clark Papers, Governors' Records, Texas State Archives; Gray, "Edmund J. Davis," 18-35, 36-71.

56. Hamilton to Stanton, December 19, 1863, OR ser. 1, vol. 26, pt. 1, 865-66.

57. James Steedman to Charles Steedman, January 6, 1861; Eliza to Charles, December 30, 1860; "Your Devoted Wife" to "Steed," April 1861: all in Charles Steedman Papers, Manuscript Collection, Duke University Library. Later letters to his wife reveal that Charles commanded several United States warships throughout the war and, as a rear admiral, in the South Pacific after the war.

58. James A. Irby, "Confederate Austin, 1861-1865" (MA thesis, Univ. of Texas, 1953), 118. For examples of reports of the poor treatment of relatives of Texans in the federal service, see Col. H. E. McCulloch to Francis Lubbock, March 13, 1862, Francis R. Lubbock Papers, Governors' Records, Texas State Archives, and J.P. Bethell to A.J. Hamilton, September 13, 1865, Hamilton Papers, Governors' Records, Texas State Archives.

59. Ella Lonn, *Desertion during the Civil War* (New York: Century Co., 1928), 235; Tilley, *Federals on the Frontier*, 370; Col. H.M. Day to Maj. William H. Clark, August 3, 1864, OR ser. 1, vol. 41, pt. 2, 532. At least thirty Texans in federal service died while on duty and were buried in their home state. Quartermaster General, U.S. Army, *Roll of Honor; Names of Soldiers Who Died in Defense of the Union*. . . . (Washington, D.C.: Government Printing Office, 1866).

60. See Louis S. Gerteis, *From Contraband to Freedman: Federal Policy toward Southern Blacks, 1861-1865*. (Westport, CT: Greenwood Press, 1973).

61. "Biographical Sketch," S.M. Swenson Papers, Barker Texas History Center; Lynch, *Bench and Bar*, 151-59; Webb, *Handbook of Texas*, vol. 2, 288-89; *Dallas Morning News*, May 12, 1964, A.B. Norton Biographical File, Barker Texas History Center; A.B. Norton, *Speech of Hon. A.B. Norton, in Vindication of History and the Constitution and the Union, in the Texas Legislature, January 24, 1860* (Austin: Southern Intelligencer Press, 1860); *Marshall Texas Republican*, July 12, 1862.

62. Webb, *Handbook of Texas*, vol. 2, 440; Melinda Rankin, *Twenty Years among the Mexicans: A Narrative of Missionary Labor* (Cincinnati: Chase and Hall, 1875), 97-119. Rankin was a missionary in Monterrey from 1865 to 1872; she died in Illinois in 1888.

63. Black to Stratton, October 24 and December 20, 1864, Reading W. Black Papers, Barker Texas History Center.

64. Etchison to Pile, December 7, 1864, Matamoros Consular Dispatches.

65. Noah Smithwick, *The Evolution of a State; or, Recollections of Old Texas Days* (Austin: Gammel Book Co., 1901), 331-36; Pierce to Seward, September 22, 1862, Matamoros Consular Dispatches; M. M. Kimmey to Seward, June 4, 1863, OR ser. 1, vol. 26, pt. 1, 657; Pierce to Seward, December 8, 1864, and Maj. Gen. F.J. Herron to Brig. Gen. Stone, February 2, 1864, Matamoros Consular Dispatches.

66. Tilley, *Federals on the Frontier*, 371-72. The Confederate commander in the area, Col. John Ford, refused to allow local vigilantes to confiscate the houses of Unionists in Brownsville for the use of loyal families. Ford, *Rip Ford's Texas*, 366. For the federal policy on loyalty oaths and the dangers that faced southerners who took them, see Harold M. Hyman, *A More Perfect Union: The Impact of the Civil War and Reconstruction on the Constitution* (New York: Alfred A. Knopf, 1973), 147-70, and *To Try Men's Souls: Loyalty Tests in American History* (Berkeley: Univ. of California Press, 1959), 193-96 (see pp. 139-250 for his complete discussion of the war years).

67. December 4 and 3, 1864, Hancock Diary.

68. December 25, 1863, DuVal Diary.

69. *Loyal National Union Journal*, March 5, 12, and 19, 1864; March 5, 1864, DuVal Diary.

70. F. F. Fenn, et al., to Maj. Gen. F. J. Herron, January 8, 1864, Kingsbury Papers.

71. Williams, *With the Border Ruffians*, 294-98; *Dallas Herald*, April 8, 1863; Vicki Betts, "Private and Amateur Hangings: The Lynching of W. W. Montgomery, March 15, 1863," *Southwestern Historical Quarterly* 88 (Oct. 1984): 145-66. Montgomery was a Caldwell County sheep rancher before the war, and appears to have been a former Kansas Jayhawker. A. J. Hamilton had secured his acquittal on a murder charge in Austin in 1855. *Austin State Gazette*, January 12, 1861; Waller, *Colossal Hamilton*, 35.

72. Betts, "Private and Amateur Hangings," 151-55; Leonard Pierce to William Seward, March 26, 1863, Matamoros Consular Dispatches; Tilley, *Federals on the Frontier*, 277-78. For other diplomatic correspondence regarding the incident, see J. A. Quinterro to Judah P. Benjamin, March 21, 1863, and H. P. Bee to Quinterro, March 16, 1863, OR ser. 1, vol. 26, pt. 2, 67-70. A rumor circulated shortly after the lynching that Montgomery's head had been cut off and carried to Brownsville as a trophy. Rankin, *Twenty Years*, 102. A. J. L. Fremantle's Confederate escort showed him what was purported to be Montgomery's gravesite while guiding the British tourist to Brownsville. Fremantle reported that "he had been slightly buried." His head and arms—multilated by wild dogs—were above the ground, and a rope still encircled the

body's neck. Walter Lord, ed., *The Fremantle Diary* (Boston: Little, Brown & Co., 1954), 7-9.

73. *Victoria Advocate*, March 28, 1863, copied from the *Brownsville Fort Brown Flag*, March 13, 1863; *Clarksville Standard*, April 25, 1863, copied from the *Brownsville Flag*, n.d.

74. Haynes to Hamilton, June 13, 1863, typescript in Hamilton Papers, Barker Texas History Center.

75. A. W. Bishop, *Loyalty on the Frontier; or, Sketches of Union Men of the Southwest* (St. Louis, MO: R. P. Studley and Co., 1863), 5; Abraham Lincoln to Nathaniel Banks, September 19, 1863, in Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, vol. 6 (Springfield, IL: Abraham Lincoln Association, 1955), 465-66. Harold Hyman writes that "many federal soldiers failed completely to see how swearing a Union oath made a Southerner less a rebel." *To Try Men's Souls*, 196.

5. SPECULATORS, DESERTERS, AND BANDITS

1. Bell I. Wiley, *The Road to Appomattox* (Memphis, TN: Memphis State College Press, 1956), 67; Smith to H. E. McCulloch, October 2, 1863, OR ser. 1, vol. 26, pt. 2, 285; Magruder to W. R. Boggs, April 20, 1864, OR ser. 1, vol. 34, pt. 3, 779-80; Throckmorton to Josiah Crosby, March 19, 1865, James W. Throckmorton Papers, Barker Texas History Center.

2. Frank L. Owsley, "Defeatism in the Confederacy," *North Carolina Historical Review* 3 (July 1926): 446-56; Georgia Lee Tatum, *Disloyalty in the Confederacy* (Chapel Hill: Univ. of North Carolina Press, 1934), 3-23; Charles H. Wesley, *The Collapse of the Confederacy* (Washington, D.C.: Associated Publishers, 1937), 74-104; Wiley, *Road to Appomattox*, 43-76; Clement Eaton, *A History of the Southern Confederacy* (New York: Free Press, 1954), 250-68; David Donald, "Died of Democracy," in Donald, ed., *Why the North Won the Civil War* (Baton Rouge: Louisiana State Univ. Press, 1960), 79-90; Paul D. Escott, *After Secession: Jefferson Davis and the Failure of Confederate Nationalism* (Baton Rouge: Louisiana State Univ. Press, 1978); Emory M. Thomas, *The Confederate Nation: 1861-1865*. (New York: Harper and Row, 1979), 234-35, 285-86, 297-99. A recent, controversial interpretation of how the weakness of Confederate nationalism, the peculiar nature of southern religion, and military defeats combined to sap Confederate morale can be found in Richard F. Beringer et al., *Why the South Lost the Civil War* (Athens: Univ. of Georgia Press, 1986). For information on dissent in other states, see Walter L. Fleming, *Civil War and Reconstruction in Alabama* (New York: Macmillan 1905), 113-14, 138-48; Hugh C. Bailey, "Disaffection in the Alabama Hill Country, 1861," *Civil War History* 4 (June 1958), 183-192; T. Conn Bryan, *Confederate Georgia* (Athens: Univ. of Georgia Press, 1953), 139-51; John K. Bettersworth, *Confederate Mississippi: The People and Politics of a Cotton State in Wartime* (Baton Rouge: Louisiana State Univ. Press, 1943), 188-245; Rudy H. Leverett, *Legend of the Free State of Jones* (Jackson: Univ. Press of Mississippi, 1984); Henry T. Shanks, "Disloyalty to the Confederacy in Southwestern Virginia, 1861-1865," *North Carolina Historical Review* 21 (April 1944): 118-35; John G. Barrett, *The Civil War in North Carolina* (Chapel Hill: Univ. of North Carolina Press, 1963), 181-89; William T. Auman and David D. Scarboro, "The Heroes of America in Civil War North Carolina," *North Carolina Historical Review* 58 (Oct. 1981): 327-63; and Horace W. Raper, "William W. Holden and the Peace Movement in North Carolina," *North Carolina Historical Review* 31 (Oct. 1854): 493-516; Ted R. Worley, "The Arkansas Peace Society of 1861: A Study in Mountain Unionism," *Journal of Southern History* 24 (Nov. 1958): 445-56; Wilfred Buck Yearns, *The Confederate Congress* (Athens: Univ. of Georgia Press, 1960), 171-83.

3. *Dallas Herald*, March 8, 1862; Gammel, *Laws of Texas, 1822-1897*, vol. 5, 483, 674, 684-85; quoted in Ruby Garner, "Galveston during the Civil War" (MA thesis, Univ. of Texas, 1927), 36.

4. Wiley to Edward Clark, April 4, 1861, and Carothers to Clark, April 14, 1861, Clark Papers, Governors' Records, Texas State Archives,

5. *Dallas Herald*, October 16, October 30, and November 6, 1861.

6. James Thornton to Pendleton Murrah, April 10, 1864, and Mrs. F. Cockran to Murrah, November 11, 1863: both in Murrah Papers; John Q. Anderson, ed., *Broken-burn: The Journal of Kate Stone, 1861-1868*. (Baton Rouge: Louisiana State Univ. Press, 1955), 242, 256-57, 238, 275. Another Louisiana refugee in Texas, Frances Fearn, found a much warmer reception from the people she encountered. See Fearn, *Diary of a Refugee* (New York: Moffat, Yard, and Co., 1910), 37-38. The only secondary account of white refugees in the Confederacy is Mary Elizabeth Massey's thorough *Refugee Life in the Confederacy* (Baton Rouge: Louisiana State Univ. Press, 1964).

7. For the economic background of Civil War Texas, see Dugas, "A Social and Economic History," esp. pp. 240-323.

8. Alexander Gregg, *The Sin of Extortion, and Its Peculiar Aggravations at a Time Like the Present* (Austin: Texas Almanac Office, 1863), 2.

9. *Houston Tri-weekly Telegraph*, February 4, 1863; Gammel, *Laws of Texas*, vol. 5, 500, 657; Day, *House Journal, Ninth Legislature, First Called Session*, 62, 100, 170-71; May Spence Ringold, *The Role of the State Legislatures in the Confederacy* (Athens: Univ. of Georgia Press, 1966), 73; Yearns, *Confederate Congress*, 132-33.

10. *San Antonio Weekly Herald*, November 9, 1861; Thomas C. Smith, *Here's Yer Mule: The Diary of Thomas C. Smith* (Waco, TX: Little Texian Press, 1958), 12; David G. McComb, *Houston: The Bayou City* (Austin: Univ. of Texas Press, 1969), 74; *New Braunsfels Zeitung*, November 7, 1862, translation in Oscar Haas Collection, Texas State Archives; Annie C. Terrill, "A Calendar of the Memorials and Petitions to the Legislature of Texas, 1861-1877" (MA thesis, Univ. of Texas, 1936), 19; Barr, "Records of the Confederate Military Commission," 71 (Oct. 1967): 258-60, 247-52.

11. *San Antonio Weekly Herald*, April 26, 1862; *San Antonio Semi-Weekly News*, April 28, 1862; *Dallas Herald*, August 2, 1862; *Marshall Texas Republican*, January 3, 1863; *Austin State Gazette*, August 12, 1863. For a striking discussion of economic disloyalty—particularly the "Sin of Extortion"—in the context of Confederate nationalism and southern religion, see Faust, *The Creation of Confederate Nationalism*, 41-57.

12. Mattie Davis Lucas and Mita H. Hall, *A History of Grayson County, Texas* (Sherman, TX: Scurggs Printing Co., 1936), 118-21; Chance, *The Second Texas Infantry*, 143. For the best account of the most famous riot in the Confederacy, see Michael B. Chesson, "Harlots or Heroines? A New Look at the Richmond Bread Riot," *Virginia Magazine of History and Biography* 92 (April 1984): 131-75.

13. James K. Blair to Clark, May 23, 1861, and R. English to Clark, October 15, 1861: both in Clark Papers; Charles Shearn to Lubbock, December 6, 1861, and B. L. Peel to Lubbock, December 7, 1861: both in Lubbock Papers; Williams, *With the Border Ruffians*, 277-78; copied by *Arkansas Patriot*, March 5, 1863.

14. Charles W. Ramsdell, "The Texas State Military Board, 1862-1865," *Southwestern Historical Quarterly* 27 (April 1924): 253-75; Ludwell H. Johnson, "Trading with the Union: The Evolution of Confederate Policy," *Virginia Magazine of History and Biography* 78 (July 1970): 308-25. For trading with the enemy along the Mississippi River, see Bettersworth, *Confederate Mississippi*, 174-87; Lawrence N. Powell and Michael S. Wayne, "Self-Interest and the Decline of Confederate Nationalism," in *The Old South in the Crucible of War*, ed. Harry P. Owens and James J. Cooke (Jackson: Univ. Press of Mississippi, 1983), 29-45; and Gary B. Mills, "Alexandria, Louisiana: A

'Confederate' City at War with Itself," *Red River Valley Historical Review* 5 (Winter 1980): 23-36.

15. Quoted in the *Austin Tri-Weekly State Gazette*, June 25, 1863; Anne Cowling, "The Civil War Trade of the Lower Rio Grande Valley" (MA thesis, Univ. of Texas, 1926); McComb, *Houston*, 25-26; Steven Strom, ed., "Cotton and Profits across the Border: William Marsh Rice in Mexico, 1863-1865," *Houston Review* 8 (1986): 89-96. A valuable survey of the diplomatic, military, and political contexts of the southern trade through Matamoros, Mexico, is James W. Daddysman's *The Matamoros Trade: Confederate Commerce, Diplomacy, and Intrigue* (Newark: Univ. of Delaware Press, 1984).

16. Brackenridge to Alexander W. Terrell, June 12, 1912, Alexander W. Terrell Papers, Barker Texas History Center; Thomas H. Franklin, "George W. Brackenridge," *Alcalde* 8 (March 1921): 407-09; Marilyn McAdams Sibley, *George W. Brackenridge: Maverick Philanthropist* (Austin: Univ. of Texas Press, 1973), 33-84, and "Charles Stillman: A Case Study of Entrepreneurship on the Rio Grande, 1861-1865," *Southwestern Historical Quarterly* 77 (Oct. 1973): 227-40.

17. "The Fall of Brownsville on the Rio Grande, November 1863," pp. 4-9, John Warren Hunter Biographical File, Barker Texas History Center.

18. Wiley, *Road to Appomattox*, 48; Lonnn, *Desertion during the Civil War*, 231.

19. *Houston Tri-Weekly Telegraph*, November 5, 1862, quoted in Chance, *The Second Texas Infantry*, 52; Rebecca W. Smith and Marion Mullins, eds., "The Diary of H.C. Medford, Confederate Soldier, 1864," *Southwestern Historical Quarterly* 34 (Oct. 1930), 120-21; William Physick Zuber, *My Eighty Years in Texas*, ed. Janis Boyle Mayfield (Austin: Univ. of Texas Press, 1971), 196; quoted in Campbell, *A Southern Community in Crisis*, 235. See also Lonnn, *Desertion during the Civil War*, 3-20; Bell I. Wiley, *The Life of Johnny Reb: The Common Soldier of the Confederacy* (Baton Rouge: Louisiana State Univ. Press, 1978), 123-50; Martin, *Desertion of Alabama Troops*; and Richard Bardolph, "Inconstant Rebels: Desertion of North Carolina Troops in the Civil War," *North Carolina Historical Review* 41 (April 1964): 163-89.

20. Norman D. Brown, ed., *One of Cleburne's Command: The Civil War Reminiscences and Diary of Capt. Samuel T. Foster, Granbury's Texas Brigade, CSA* (Austin: Univ. of Texas Press, 1980), 151; Rudolf Coreth to Family, October 25 and December 24, 1863, February 4, 1864, in Minnetta Altgelt Goynne, *Lone Star and Double Eagle: Civil War Letters of a German-Texas Family* (Lubbock: Texas Christian Univ. Press, 1982), 107, 114-15, 119.

21. Ford to Edmund P. Turner, July 22, 1863, OR ser. 1, vol. 26, pt. 2, 119; McCulloch to Maj. Gen. J. B. Magruder, October 21, 1863, *ibid.*, 344-45. For early resistance to conscription in Texas, see Fredericka Ann Meiners, "The Texas Governorship, 1861-1865: Biography of an Office" (PhD diss., Rice Univ., 1974), 123-54. The first Conscription Act of April 16, 1862, and its September amendment required all men between the ages of eighteen and forty-five to serve three years in the army, except for laborers in vital industries. The Second Conscription Act of February 17, 1864, made all men between the ages of seventeen and fifty liable to conscription. Thomas, *Confederate Nation*, 152-54, 260.

22. McCulloch to Magruder, February 3, 1864, and McCulloch to Smith, February 5, 1864, OR ser. 1, vol. 34, pt. 2, 941-43, 945; McCulloch to Capt. Edmund P. Turner, November 9, 1863, OR ser. 1, vol. 26, pt. 2, 401.

23. Lovenskold to Slaughtier, November 23, 1864, copy in Murrah Papers.

24. McCulloch to Gov. Francis Lubbock, March 37, 1862, Lubbock Papers; *Austin State Gazette*, March 15, 1863; Magruder to Brig. Gen. W. R. Boggs, May 20, 1864, OR ser. 1, vol. 34, pt. 3, 833-34; *Texas Almanac Extra*, February 27 and March 3, 1863; Zuber, *My Eighty Years in Texas*, 223; Rawick, *American Slave*, supp. 2, vol. 6, pt. 5, 2125. For one reluctant Confederate's experiences as a deserter, frontier defender,

and Union scout, see L. D. Clark, ed., *Civil War Recollections of James Lemuel Clark* (College Station: Texas A & M Univ. Press, 1984).

25. Felgar, "Texas in the War," 200-225.

26. Magruder to Murrah, April 2, 1864, Murrah Papers; Governor's Message, May 11, 1864, in James M. Day, ed., *Senate and House Journals of the Tenth Legislature, First Called Session* (Austin: Texas State Library, 1965), 19; to Charles Besser from his wife, June 29, 1861, Charles Besser Civil War Biographical File, Barker Texas History Center; Kaleta Hardin to William Hardin, June 1, 1864, in Camilla Davis Trammell, *Seven Pines: Its Occupants and Their Letters, 1825-1872* (Dallas: Southern Methodist Univ. Press, 1987), 200.

27. "Instructions to Enrolling Officers," July 4, 1862, Broadside Collection, Barker Texas History Center; *San Antonio Weekly Herald*, April 26, 1862; *Brownsville Fort Brown Flag*, April 17, 1862; *Bexar County Court Journal*, vol. 2A, June 1863, Special Term, February 1864 Term, October 1864 Term, pp. 483, 515, 557, Microfilm Reel 1019358; Day, *Senate and House Journals, Tenth Legislature, First Called Session*, 63, 109, 128; *Marshall Texas Republican*, February 26, 1863; Governor's Message, November 24, 1863, Day, *Senate Journal, Tenth Legislature, First Called Session*, 104, 96.

28. *Clarksville Standard*, July 18 and November 28, 1863, and January 9, 1864; *Dallas Herald*, May 29, 1863; *Marshall Texas Republican*, February 26, 1863. North Carolina and Georgia also set penalties for aiding deserters, while the Confederate Congress dealt with the problem ineffectually. Ringold, *State Legislatures*, 28; Yearns, *Confederate Congress*, 114-15.

29. Petty to his wife, January 29, March 4, March 13, and March 15, 1863, in Norman D. Brown, ed., *Journey to Pleasant Hill: The Civil War Letters of Captain Elijah P. Petty, Walker's Texas Division, CSA* (San Antonio: Institute of Texan Cultures, 1982), 134, 145, 148, 151.

30. Quoted in Brown, *One of Cleburne's Command*, xxxix; quoted in Chance, *The Second Texas Infantry*, 94, 54-55; Zuber, *My Eighty Years in Texas*, 199.

31. Paul C. Boethel, *History of Lavaca County* (Austin: Von-Boeckmann-Jones, 1959), 81-82; Cain to John R. Hill, n.d. (ca 1863), John R. Hill Papers, Barker Texas History Center.

32. Lord, *Fremantle Diary*, 19; January 17, 1865, and December 9, 1864, Hancock Diary.

33. Copies of the Ferguson letters, dated March 10, 1862; Sweet to Lubbock, March 27, 1862; Brig. Gen. H. P. Bee to Lubbock, May 5, 1862: all in Lubbock Papers.

34. *Austin State Gazette*, October 14, 1863; Rawick, *American Slave*, supp. 2, vol. 2, pt. 1, 64; Sophia to Levi, January 24, 1864, in Davis Bitton, ed., *Reminiscences and Civil War Letters of Levi Lamon Wight* (Salt Lake City: Univ. of Utah Press, 1970), 147-48; Boethel, *Lavaca County*, 82-84; George W. Tyler, *The History of Bell County* (San Antonio: Naylor Co., 1936), 241-42; Ernst Coreth to Rudolf, May 19, 1865, in Goynes, *Lone Star and Double Eagle*, 172. For bands of outlaw deserters and disaffected southerners in other parts of the Confederacy, see John D. Winters, *The Civil War in Louisiana* (Baton Rouge: Louisiana State Univ. Press, 1963), 307, 387; Bryan, *Confederate Georgia*, 144-46; Barrett, *The Civil War in North Carolina*, 174-77, 186, 239-43; Fleming, *Civil War and Reconstruction in Alabama*, 119-21, 128; Bettersworth, *Confederate Mississippi*, 213-17, 234-41; John F. Reiger, "Deprivation, Disaffection, and Desertion in Confederate Florida," *Florida Historical Quarterly* 8 (Jan. 1970): 279-98.

35. "Address to the People of Texas," Taylor papers; Graham Landrum and Allan Smith, *Grayson County* (Fort Worth, TX: Historical Publishers, 1967), 70-71; William E. Sawyer, "Martin Hart, Civil War Guerrilla," *Texas Military History* 3 (Fall 1963): 146-47.

36. *Marshall Texas Republican*, January 29, 1863; Sawyer, "Martin Hart," 148-53; James M. Day, ed., *House Journal of the Ninth Legislature, First Called Session* (Austin: Texas State Library, 1963), 98. Later in the year officials in Hunt and Hopkins counties hanged seven of Hart's men for "robbery, murder, and treason." *Marshall Texas Republican*, April 4, 1863. The most famous outlaw guerrillas, of course, performed their deeds in Missouri. See Richard S. Brownlee, *Gray Ghosts of the Confederacy: Guerilla Warfare in the West, 1861-1865*. (Baton Rouge: Louisiana State Univ. Press, 1958).

37. Boyd W. Johnson, "Cullen Montgomery Baker: The Arkansas-Texas Desperado," *Arkansas Historical Quarterly* 25 (Autumn 1966): 229-34.

38. Al Eason, "Cullen Baker—Purveyor of Death," *Frontier Times* 40 (Aug.-Sept. 1966): 12, 67; Johnson, "Cullen Montgomery Baker," 234-39; *New York Tribune*, September 29, 1868.

39. T. U. Taylor, "Swamp Fox of the Sulphur; or, The Life and Times of Cullen Montgomery Baker," typescript, Barker Texas History Center, 58-60, 23-25, 30, 54-55; Rawick, *American Slave*, supp. 2, vol. 8, pt. 7, 3363; supp. 2, vol. 5, pt. 4, 1823.

40. Petition from residents of Collin County to Murrah, enclosed with letter from G. B. Breedlove to Murrah, November 19, 1864; Throckmorton to Murrah, December 9, 1864; both in Murrah Papers.

41. Thomas Barrett, *The Great Hanging at Gainesville* (Gainesville, 1885; Austin: Texas State Historical Association, 1961), 12; *Marshall Texas Republican*, November 1, 1862; Sam Acheson and Julie Ann Hudson O'Connell, eds., "George Washington Diamond's Account of the Great Hanging at Gainesville, 1862," *Southwestern Historical Quarterly* 66 (Jan. 1963): 344-49, 350.

42. *Marshall Texas Republican*, November 1, 1862; Acheson and O'Connell, "Diamond's Account of the Great Hanging," 360-64; Barrett, *The Great Hanging*, 13; James M. Smallwood, "Disaffection in Confederate Texas: The Great Hanging at Gainesville," *Civil War History* 22 (Dec. 1976): 349-60. Although Smallwood believes that the organization was initially formed to provide a safe forum for the expression of Unionist opinions, he gives credence to many of the more violent objectives that Confederates accused the group of planning. On February 20, 1864, *Frank Leslie's Illustrated Newspaper* printed woodcuts of "Rebel Barbarities in Texas" that were based on sketches made by a former North Texas Unionist who had barely escaped hanging in Gainesville. Included was a sketch of dozens of the "over 100" men hanged in Cook[e] County in 1862.

43. *Clarksville Standard*, November 1, 1862; Throckmorton to J. J. Diamond, May 25, 1867, Throckmorton Papers; Elliott, *Leathercoat*, 75; Roy F. Hall and Helen G. Hall, *Collin County: Pioneering in North Texas* (Quanah, TX: Nortex Press, 1975), 57-58; Ford, *Rip Ford's Texas*, 338. For Diamond's similar explanation for the organization and vigilant repression of this group, see Acheson and O'Connell, "Diamond's Account of the Great Hanging," 340-43.

44. Magruder to Smith, December 24, 1863, OR ser. 1, vol. 26, pt. 2, 528-31; Austin to Pease, July 30, 1865, E. M. Pease Papers, Austin History Center.

6. ETHNIC TEXANS AND THE WAR

1. Olmsted, *A Journey through Texas*; 440, 431, 432-33.

2. *Ibid.*, 456.

3. Rawick, *American Slave*, vol. 4, pt. 2, 126-29. Age and time may have erased the sorrows and exaggerated the joys of southern slaves; by the same token, decades of discrimination and poverty may have deepened their resentment and affected their memories. Witin reason, however, I have taken the slaves' testimonies at face value.

4. See Benjamin Quarles, *The Negro in the Civil War* (Boston: Little, Brown & Co., 1953); Harvey Wish, "Slave Disloyalty under the Confederacy," *Journal of Negro History* 23 (Oct. 1938), 435-50; C. Peter Ribley, *Slaves and Freedmen in Civil War Louisiana* (Baton Rouge: Louisiana State Univ. Press, 1976); Clarence L. Mohr, *On the Threshold of Freedom: Masters and Slaves in Civil War Georgia* (Athens: Univ. of Georgia Press, 1986); Robert Francis Engs, *Freedom's First Generation: Black Hampton, Virginia, 1861-1890* (Philadelphia: Univ. of Pennsylvania Press, 1979), 3-79; Ronald L. F. Davis, *Good and Faithful Labor: From Slavery to Sharecropping in the Natchez District, 1860-1890* (Westport, CT: Greenwood Publishing Co., 1982), 60-73; Willie Lee Rose, *Rehearsal for Reconstruction: The Port Royal Experiment* (New York: Bobbs-Merrill Co., 1964); and James H. Brewer, *The Confederate Negro: Virginia's Craftsmen and Military Laborers, 1861-1865*. (Durham, NC: Duke Univ. Press, 1969).

5. *Marshall Texas Republican*, June 2, 1965.

6. *Marshall Texas Republican*, January 6, 1865; *Houston Tri-Weekly Telegraph*, July 30, 1862; *Texas Almanac Extra*, April 9 and 28, 1863; Rawick, *American Slave*, vol. 5, pt. 4, 209; vol. 4, pt. 1, 194-96 and 182-84; supp. 2, vol. 9, pt. 8, 3609-23.

7. Rawick, *American Slave*, supp. 2, vol. 9, pt. 8, 3561; *Houston Tri-Weekly Telegraph*, January 11, 1864; Lena Dancy Ledbetter Reminiscence, Mrs. L. D. Ledbetter Collection, Barker Texas History Center; Rawick, *American Slave*, vol. 4, pt. 2, 131-34; vol. 4, pt. 2, 189.

8. See testimony of Mollie Dawson and Andy Anderson in Rawick, *American Slave*, supp. 2, vol. 4, pt. 3, 1141; vol. 4, pt. 1, 14-16; Lack, "Urban Slavery," 305-8.

9. Rawick, *American Slave*, vol. 5, pt. 4, 140; supp. 2, vol. 10, pt. 9, 4335; supp. 2, vol. 6, pt. 5, 2213-14; vol. 5, pt. 4, 14.

10. Smyrl, "Unionism, Abolitionism, and Vigilantism," 146-60; Rawick, *American Slave*, vol. 4, pt. 1, 14-16; vol. 5, pt. 3, 256; supp. 2, vol. 7, pt. 6, 2801, 2495. In Tennessee, where Union lines were always relatively close and where masters had far more to worry about than a few unruly bondsmen, slaves aggressively forced a relaxation of controls and often ran away. See John Cimprich, *Slavery's End in Tennessee, 1861-1865*. (University: Univ. of Alabama Press, 1985).

11. Rawick, *American Slave*, vol. 4, pt. 1, 141; vol. 5, pt. 4, 224; *Houston Telegraph*, December 29, 1864; Tilley, *Federals on the Frontier*, 264.

12. *Houston Tri-Weekly Telegraph*, January 24, 1865; *San Antonio News* quoted in Kerby, *Kirby Smith's Confederacy*, 401; Rufe Byler to Martha Byler, May 15, 1863, Dobie-Byler Family Papers, Barker Texas History Center; *Marshall Texas Republican*, March 5, 1863; March 30 and August 13, 14, and 16, 1864, John B. Walker Plantation Book, Barker Texas History Center.

13. Lizzie to Will Neblett, November 4 and August 13 and 18, 1863, Lizzie Neblett Papers, Barker Texas History Center.

14. May 30, 1863, Ballinger Diary; *Marshall Texas Republican*, December 23, 1864; Kerby, *Kirby Smith's Confederacy*, 257; *San Antonio Herald*, copied by the *Marshall Texas Republican*, May 19, 1865; Gammel, *Laws of Texas*, vol. 5, 601-3, 608-10, 484, 762-63; Wilson, "The Ordeal of William H. Cowdin," 16-26; *Austin Tri-Weekly State Gazette*, July 14, 1863. The law enslaving captured black soldiers was not always enforced; over thirty blacks captured at Galveston early in 1863 roamed freely about Houston for a year-and-a-half, despite complaints from residents. Andrew Forest Muir, "The Free Negro in Harris County, Texas," *Southwestern Historical Quarterly* 46 (Jan. 1943): 235-37.

15. George W. Davis to his sister, February 8, 1863, in Trammell, *Seven Pines*, 192; Rawick, *American Slave*, vol. 4, pt. 1, 108; vol. 5, pt. 4, 125; *Marshall Texas Republican*, May 19 and 5, 1865.

16. *Marshall Texas Republican*, June 16, 1865.

17. Denison to Salmon P. Chase, May 1862, Bourne and Moore "Diary and Correspondence of Salmon P. Chase," 300.

18. Stephen Schwartz, *Twenty-Two Months a Prisoner of War* (St. Louis, MO: A. F. Nelson Publishing Co., 1892), 26-27, 43-53.

19. Charles Montague to Edward Clark, July 9, 1861, Clark Papers.

20. Thomas B. White to Lubbock, March 20, 1862; McCulloch to Lubbock, March 27, 1862; Petition from Citizens of Guadalupe County, March 22, 1862: all in Lubbock Papers; Wells to Ballinger, October 27, 1862, Ballinger Papers.

21. Bliss Reminiscences, 61; Lord, *Fremantle Diary*, 18; Williams, *With the Border Ruffians*, 267.

22. *Memorial of Anthony M. Dignowitz*, 37th Cong., 2d sess., 1861, S. Misc. Doc. 9; August Schuchard to Hamilton, August 7, 1865, Hamilton Papers, Governors' Records, Texas State Archives.

23. Bieseke, "Texas State Convention of Germans," 255; *Biographical Directory of the American Congress, 1774-1971* (Washington, D.C.: Government Printing Office, 1971), 843.

24. Barr, "Records of the Confederate Military Commission," 73 (Oct. 1969): 246-48, letter on 193.

25. Rev. E. M. Wheelock, "In Memoriam—Hon. Jacob Kuechler," Jacob Kuechler Biographical File, Barker Texas History Center; Hertzberg to Hamilton, June 27, 1865, Hamilton Papers, Governors' Records, Texas State Archives.

26. Barr, "Records of the Confederate Military Commission," 71 (Oct. 1967): 260-71, 253-58; 73 (July 1969): 83-90. The three men escaped together in August 1862, and made their way to Mexico. Braubach served in the Union army as a captain in the First Texas Cavalry. Maj. Gen. N.J.T. Dana to Brig. Gen. Charles R. Stone, Dec. 27, 1863, OR ser. I, vol. 26, pt. 1, 885-86; Brown, "Annals of Travis County," chap. 24, 64.

27. Barr, "Records of the Confederate Military Commission," 73 (Oct. 1969): 266; Louis E. Brister, "William von Rosenberg's *Kirtik*: A History of the Society for the Protection of German Immigrants to Texas," *Southwestern Historical Quarterly* 85 (Oct. 1981): 161-63; Christine Schott, "Gustavus Schleicher: A Representative of the Early German Emigrants in Texas," *West Texas Historical Association Yearbook* 28 (Oct. 1952), 50-64.

28. Robert W. Stephens, *August Buchel: Texan Soldier of Fortune* (Dallas: Privately printed, 1970), 1-6; Felgar, "Texas in the War," 341.

29. Joseph Bruckmuller, "Description of the Family and Life of Joseph Bruckmuller," typewritten translation, Barker Texas History Center.

30. Rudolf Coreth to his family, December 31, 1861, in Goynes, *Lone Star and Double Eagle*, 30; biographical information on pp. 18, 127-58.

31. August Siemering, "German Immigration into Texas," 1015-D, translated typescript, Dresel Scrapbook, Barker Texas History Center; Rudolf to his family, May 10, 1863, and May 11, 1862, in Goynes, *Lone Star and Double Eagle*, 84, 56.

32. Rudolf to his family, December 23, 1864, and March 15, 1862, in Goynes, *Lone Star and Double Eagle*, 154, 47.

33. *Dallas Herald*, September 6, 1862. The factual details for this brief account of an oft-told tale come from Robert W. Shook, "The Battle of the Nueces, August 10, 1862," *Southwestern Historical Quarterly* 66 (July 1962): 31-42. For participants' accounts, see Williams, *With the Border Ruffians*, 232-51, on the Confederate side, and John W. Sansom, "Battle of Nueces River in Kinney County, Texas, August 10, 1862," Barker Texas History Center, on the Germans' side. Robert P. Felgar provides a good account of this incident and other persecutions of the Germans in "Texas in the War," 340-56.

34. Smith, *Here's Yer Mule*, 19-20.

35. Lt. C.D. McRae to Maj. F.F. Gray, August 18, 1862, OR ser. 1, vol. 9, 614-16.

36. Fehrenbach, *Lone Star*, 364; William Banta and J. W. Cadwell, Jr., "Twenty-seven Years on the Frontier; or, Fifty Years in Texas, Vol. 1: Life of J. W. Cadwell, Sr.," pp. 220, 223, typescript in Barker Texas History Center; Rudolf Coreth to his family, August 26, 1862, in Goyne, *Lone Star and Double Eagle*, 66; Barr, "Records of the Confederate Military Commission," 73 (Oct. 1969): 270-72.

37. James B. Martin, "Terror in Texas: Violence and Fear in the Hill Country during the Civil War," Seminar paper, Univ. of Texas at Austin, 1985; A.J. Bell to Maj. J.P. Flewellen, Nov. 28, 1862; Brig. Gen. William G. Webb to Maj. A.G. Dickinson, Jan. 4, 1863; Capt. E.P. Turner to Lt. Col. H.L. Webb, Jan. 12 and 21, 1863; all in OR ser. 1, vol. 15, 887, 926-28, 945-46, 955. Lord, *Fremantle Diary*, 43; quoted in J.B. Wilkinson, *Laredo and the Rio Grande Frontier* (Austin: Jenkins Publishing Co., 1975), 284.

38. Carl L. Duaine, *The Dead Men Wore Boots: An Account of the Thirty-second Texas Volunteer Cavalry, CSA, 1862-1865*. (Austin: San Felipe Press, 1966), 23-24. Historians have not agreed on the extent to which Germans were actually disloyal to the Confederacy. Rena M. Andrews argued that the Germans' antislavery tendencies and the seriousness with which they took their oath to the United States (as immigrants and new citizens) caused them to become the "nucleus" of disaffection against the Confederacy. Robert W. Shook wrote that Germans "remained loyal to the Union for the most part," while Bobby Weaver found that "most of the colonists" of a colony in Medina County left for Mexico. On the other hand, Andrews also asserts that Germans who had come to Texas prior to the 1840s generally supported the South during the war. Ella Lonn found that Germans eventually came to support secession, at least cautiously; they were characterized during the war mainly by their desire to be left alone. E.R. Tausch, maintains—in the most reasonable, if cautious, argument—that Texas Germans were no more or less loyal to the Confederacy than other Texans. Andrews, "German Pioneers in Texas," 29, 32-34, 46-54; Shook, "German Unionism in Texas," iv; Weaver, *Castro's Colony*, 135-40; Lonn, *Foreigners in the Confederacy*, 311-13 (see pp. 417-38 for Lonn's description of the persecution of Germans in the Confederacy during the war); Tausch, "Southern Sentiment among the Texas Germans," 54-70.

39. McCulloch to Lubbock, March 27, 1862, Lubbock Papers; Olmsted, *A Journey through Texas*, 456; Ash, "Mexican Texans in the Civil War," iii-v. Ash writes that "many Mexicans had no interest either in insuring the success of the Confederacy or in preserving the Union." They "were concerned primarily with promoting their own interests."

40. Ronnie C. Tyler, *Santiago Vidaurri and the Southern Confederacy* (Austin: Texas State Historical Association, 1973), 41-61, 98-156; quoted in *Austin Weekly State Gazette*, October 14, 1863.

41. "Influence of the Benavides Family," John S. Ford Papers, Texas State Archives; Jerry Don Thompson, *Vaqueros in Blue and Gray* (Austin: Presidential Press, 1976), 16-17, 22-23; Ford to Clark, April 21, 1861, Ford Papers; Brig. Gen. H.P. Bee to Don Albino Lopez, Governor of Tamaulipas, February 3, 1863, and Lopez to Bee, February 11, 1863, OR ser. 1, vol. 15, 966-67, 975-78; Nueces County Historical Society, *The History of Nueces County* (Austin: Jenkins Publishing Co., 1972), 64, 74; Wilkinson, *Laredo and the Rio Grande Frontier*, 288-89.

42. Thompson, *Vaqueros in Blue and Gray*, 81, 25-31.

43. Ash, "Mexican Texans in the Civil War," 37-71, 72-102.

44. Lt. Col. A. Buchel to Maj. Samuel B. Davis, December 5, 1861, OR ser. 1, vol. 4, 152-53; Williams, *With the Border Ruffians*, 275; Bee to Capt. Edmund P. Turner, April 27, 1863, OR ser. 1, vol. 15, 1056-57.

45. "Index to the Compiled Service Records," Tilley, *Federals on the Frontier*,

346-47, 338; Thompson, *Vaqueros in Blue and Gray*, 89-92. In her study of desertion in the Confederacy, Ella Lonn wrote rather unsympathetically that "Mexicans seem to have been addicted to desertion." Lonn, *Desertion during the Civil War*, 273.

46. I have drawn most of the material on Benavides from John Denny Riley's "Santos Benavides."

47. N.J.T. Dana to L. Pierce, December 1, 1863, OR ser. 1, vol. 26, pt. 1, 830; M. Dolan to Maj. Gen. S.A. Hurlbut, April 3, 1865, OR ser. 1, vol. 68, pt. 2, 17-18. The Union General Dana wrote that "I am not disposed to play hide and seek with such cut-throats as [Benavides]."

48. Thompson, *Vaqueros in Blue and Gray*, 71-75; Williams, *With the Border Ruffians*, 289-91; Brig. Gen. H. P. Bee to Capt. Edmund P. Turner, October 28, 1863, OR ser. 1, vol. 26, pt. 1, 448-49.

49. *Loyal National Union Journal*, March 5, 1864; Maj. Gen. N.J.T. Dana to Brig. Gen. Charles P. Stone, December 2, 1863, OR ser. 1, vol. 26, pt. 1, 830-31; Thompson, *Vaqueros in Blue and Gray*, 75-78; Tilley, *Federals on the Frontier*, 349-50.

50. Thompson, *Vaqueros in Blue and Gray*, 79.

7. LOYALTY AND RECONSTRUCTION, 1865-1874

1. April 9, 1865, DuVal Diary; *Edwards' Annual Directory to New Orleans* (New Orleans: Southern Publishing Co., 1872), 764.

2. *Weekly Southern Intelligencer*, July 7, 1865.

3. A useful article on Texas Reconstruction historiography is Edgar P. Sneed's, "A Historiography of Reconstruction in Texas: Some Myths and Problems," *Southwestern Historical Quarterly* 72 (April 1969): 435-48. The classic study of Texas Reconstruction is Ramsdell's Dunningesque *Reconstruction in Texas*, while the most useful examination of the period is Carl H. Moneyhon's *Republicanism in Reconstruction Texas*, which is especially effective in detailing the myriad Republican factions that sprang up in the state during Reconstruction. Less satisfying is William Curtis Nunn's misnamed *Texas under the Carpetbaggers*. (Austin: Univ. of Texas Press, 1962).

4. May 30, 1865, Ballinger Diary.

5. Lucadia Pease to her sister, August 30, 1865, Lucadia Pease Papers; *Weekly Southern Intelligencer*, July 21, 1865; A. C. Greene, "The Durable Society: Austin in the Reconstruction," *Southwestern Historical Quarterly* 72 (April 1969): 494-95; Brown, "Annals of Travis County," chap. 24, 45-46; *Marshall Texas Republican*, August 25, 1865.

6. Carl H. Moneyhon stresses the importance of prewar political alliances and economic sectionalism in Reconstruction politics in Texas. He quite accurately asserts that the war did not create a new class of political leaders in Texas; rather, the traditional elite fought their political battles as "part of a continued and traditional search for power." *Republicanism in Reconstruction Texas*, xvi.

7. Hamilton to Johnson, July 24, 1865, Andrew Johnson Papers, Presidential Papers Microfilm, University of Texas at Austin Library.

8. Hamilton to Johnson, August 30, September 28, and November 27, 1865, Johnson Papers.

9. *Ibid.*, November 27, 1865, and February 26, 1866; Ramsdell, *Reconstruction in Texas*, 91-93; Waller, *Colossal Hamilton*, 78-94; James A. Baggett, "Birth of the Texas Republican Party," *Southwestern Historical Quarterly* 78 (July 1974): 9.

10. *Marshall Texas Republican*, May 5, 1866. Under the June 17, 1862 "Jurors' Loyalty Oath" and the July 2, 1862 "Ironclad Test Oath," jurors, government officials, and others swore that they would uphold the United States Constitution and that they had never taken up arms on behalf of, aided or abetted participants in, or held office

during an insurrection or rebellion against the United States. For texts of the oaths, see Hyman, *Era of the Oath*, 157–59.

11. Hamilton to Johnson, July 24, 1865, Johnson Papers.

12. Throckmorton to Epperson, June 13 and August 27, 1865, Epperson Papers.

13. Epperson to Throckmorton, June 24 and 18, 1865, Throckmorton Papers; Wooster, "Ben H. Epperson, 35–36. Congress refused to seat Epperson and the other Texas Representatives and Senators.

14. Nov. 19, 1864, John Hancock Diary, Texas State Archives; Moneyhon, *Republicanism in Reconstruction Texas*, 33, 50, 153; *Galveston Weekly News*, December 19, 1865.

15. Throckmorton to Epperson, January 21, 1866, Epperson Papers.

16. Moneyhon, *Republicanism in Reconstruction Texas*, 44; Elliott, *Leathercoat*, 110–12, 161–78; Throckmorton to N.A. Taylor, December 4, 1866, Letter Book, James W. Throckmorton Papers, Barker Texas History Center; Throckmorton to Epperson, April 17, 1866, Epperson Papers. Throckmorton, in a reflective moment, suggested in the December 4 letter to Taylor that southerners may have been "equally intolerant" if they had won the war, "and had it in our power to have oppressed" northerners. "Our experiences at the beginning and during the war," he recalled, "shows [*sic*] that we were as intolerant as the puritans (almost) in the days of their witch-burning."

17. For examples, see Moneyhon, *Republicanism in Reconstruction Texas*, 49–52; Barr, *Black Texans*, 56–57; Gammel, *Laws of Texas*, vol. 5, 131–32, 76–81, 102–4, 1015, 988.

18. Walter T. Chapin, "Presidential Reconstruction in Texas, 1865–1867" (MA thesis, North Texas State Univ., 1979), 141; Jacob Raney and Anderson Scroggins to Throckmorton, May 3, 1867, Throckmorton Papers, Barker Texas History Center; Ramsdell, *Reconstruction in Texas*, 169; Throckmorton to Anne Throckmorton, December 27, 1866, Throckmorton Letter Book. For the role of the military in Texas Reconstruction politics, see William L. Richter, *The Army in Texas During Reconstruction, 1865–1870* (College Station: Texas A & M Univ. Press, 1987).

19. Petition of Citizens of Parker, Denton, Jack, Wise, and Stephens counties, September 5, 1865; Baldwin to Hamilton, November 7, 1865: both in Hamilton Papers, Governors' Records, Texas State Archives; *Flake's Weekly Bulletin*, May 9, 1866.

20. U.S. Congress, House, *Report of the Joint Committee on Reconstruction*, 39th Cong., 1st sess., 1866, H. Rept. 30, pt. 4: 36–37, 39, 72, 87; C. Caldwell to Hamilton, January 23, 1867, Hamilton Papers, Barker Texas History Center.

21. U.S. Congress, House, *Communication from Governor Pease of Texas, Relative to the Troubles in that State*, 40th Cong., 2d sess., 1868, H. Misc. Doc. 127. A select committee at the 1868 Constitutional Convention compiled similar statistics. See Jesse Dorsett, "Blacks in Reconstruction Texas, 1865–1877" (PhD diss., Texas Christian Univ., 1981), 174.

22. *Communication from Governor Pease of Texas*, 6–7.

23. *Austin Tri-Weekly State Gazette*, July 6, 1868; *Flake's Weekly Bulletin*, August 1, October 3, and November 28, 1866.

24. Haynes to Pease, October 4 and November 28, 1866; DuVal to Pease, October 18 and November 20, 1866; Hamilton to Pease, November 9, 1866: all in E. M. Pease Papers, Austin History Center.

25. For a collective biography of thirty of the original Republicans, see James A. Baggett, "Origins of Early Texas Republican Party Leadership," *Journal of Southern History* 40 (Aug. 1974): 441–54.

26. *Report of the Joint Committee on Reconstruction*, xviii, xxi–xxii, 1–13. For the reasons for the radicalization of the Republican Reconstruction program, see David

Donald, *The Politics of Reconstruction, 1863-1867* (Baton Rouge: Louisiana State Univ. Press, 1965; Cambridge: Harvard Univ. Press, 1984), 57-58, and Kenneth M. Stampp, *The Era of Reconstruction, 1865-1877* (New York: Alfred A. Knopf, 1965), 83-118.

27. *Flake's Weekly Bulletin*, March 21, 1866; Andrew Jackson Hamilton, *An Address on Suffrage and Reconstruction, The Duty of the People, the President, and Congress* (Boston: Impartial Suffrage League, 1866).

28. Moneyhon, *Republicanism in Reconstruction Texas*, 61-81; Ramsdell, *Reconstruction in Texas*, 166-67; Baggett, "Birth of the Texas Republican Party," 14. Baggett's unpublished dissertation includes a series of useful tables containing the names and positions of Whigs, Know-Nothings, Constitutional Unionists, wartime Unionists, German Unionists, Texas Union soldiers, freedmen, carpetbaggers (who did not contribute much in numbers to Texas Republicanism), and Confederates who became Republicans after the war. Baggett, "The Rise and Fall of the Texas Radicals," 1-37, 84, 86, 89. For the origins of Republicanism in one East Texas county, see Paul D. Casdorff, "Some Early Republicans of Smith County, Texas," *Chronicles of Smith County* 7 (Fall 1968): 1-6.

29. Moneyhon, *Republicanism in Reconstruction Texas*, 82-103; Ernest Wallace, *The Howling of the Coyotes: Reconstruction Efforts to Divide Texas* (College Station: Texas A & M Univ. Press, 1979); Newcomb to Richard J. Hinton, July 10, 1871, Letter Press, Newcomb Papers. Weston J. McConnell analyzes several decades of the debate over division, placing it in its postannexation and cultural contexts, in *Social Cleavages in Texas: A Study of the Proposed Division of the State* (New York: Columbia Univ. Press, 1925).

30. Ramsdell, *Reconstruction in Texas*, 204, 308-09; Moneyhon, *Republicanism in Reconstruction Texas*, 116, 162; Mills, "Elisha Marshall Pease, 160; Ramsdell, *Reconstruction in Texas*, 264; Waller, *Colossal Hamilton*, 105-22; Moneyhon, *Republicanism in Reconstruction Texas*, 72-74, 147-48. Ironically, Pease, both Hamiltons, and James Throckmorton all served as leading delegates to the taxpayers' convention. *Proceedings of the Tax-Payers' Convention of the State of Texas* (Galveston: News Steam Book and Job Office, 1871). For the decidedly un-Radical efforts of the Texas Republican delegation to Congress, see Philip J. Avillo, Jr., "Phantom Radicals: Texas Republicans in Congress, 1870-1873," *Southwestern Historical Quarterly* 77 (April 1974): 431-44.

31. Moneyhon, *Republicanism in Reconstruction Texas*, 100, 115-16, 122, 145-46, 154, 169.

32. "Mr. Newcomb's Kind of Government" (1867) and *San Antonio Weekly Express* clipping, October 22, 1868; Newcomb Papers; Dale A. Somers, "James P. Newcomb: The Making of a Radical," *Southwestern Historical Quarterly* 72 (April 1969): 449-69.

33. Ramsdell, *Reconstruction in Texas*, 209, 247, 286; Gray, "Edmund J. Davis," 72-122; Baggett, "Birth of the Texas Republican Party," 11. For a detailed narrative of the "Radical" constitutional convention, see Betty J. Sandlin, "The Texas Reconstruction Constitutional Convention of 1868-1869" (PhD diss., Texas Tech Univ., 1970). Ironically, the Radicals succeeded in incorporating into the document few of their pet projects, including ab initio and disfranchisement and ended up trying to block its passage.

34. *Marshall Texas Republican*, June 9, 1868; Sandlin, "Texas Reconstruction Constitutional Convention," 81-83; G. C. Rives to Newcomb, September 7, 1869; E. J. Davis to Newcomb, September 8, 1869; *San Antonio Weekly Express* clipping, November 12, 1868: all in Newcomb Papers; Haynes to Pease, June 15 and 27, 1869: both in E. M. Pease Papers, Austin History Center; Haynes to Newcomb, November 21, 1869, Newcomb Papers.

35. Rives to Newcomb, October 19, 1869; Burnett to Newcomb, February 8,

1869; Union League Circular, August 9, 1869, and *San Antonio Express* clipping, January 10, 1869: all in Newcomb Papers.

36. Manning to Newcomb, November 27, 1870; A.R. Parsons to Newcomb, September 9, 1870; George B. Webber to Newcomb, April 25, 1870; J.J. Gossler to "Friend Hillebrand," November 1, 1871; Union League of America, State of Texas, Circular, May 19, 1871: all in Newcomb Papers.

37. Rives to Newcomb, June 11, 1869; Tracy to Newcomb, April 27, 1872: both in Newcomb Papers; *San Antonio Weekly Express*, January 11, 1868.

38. *Austin Daily Democratic Statesman*, August 1, 1871.

39. Moneyhon, *Republicanism in Reconstruction Texas*, 124-26; Gray, "Edmund J. Davis," 182-358; Moneyhon, *Republicanism in Reconstruction Texas*, 104-51; William L. Richter, "'Devil Take Them All: Military Rule in Texas,'" *Southern Studies* 25 (Spring 1986): 5-29. Richter examines the degree to which federal and Confederate military authorities attempted to centralize power in Texas. See also Richter's "Spread-Eagle Eccentricities: Military-Civilian Relations in Reconstruction Texas," *Texana* 8, no. 4 (1970), 311-27.

40. *Daily Democratic Statesman*, July 26, 1871; Moneyhon, *Republicanism in Reconstruction Texas*, 164-67.

41. Quoted in Smallwood, *Time of Hope, Time of Despair*, 139; Moneyhon, *Republicanism in Reconstruction Texas*, 168-82; *Tri-Weekly Democratic Statesman*, September 21, 1871;

42. Moneyhon, *Republicanism in Reconstruction Texas*, 183-96; *Daily Democratic Statesman*, January 14, 1873.

43. Fehrenbach, *Lone Star*, 429-32; *Dallas Herald*, January 24, 1874; Joe B. Frantz, *Texas: A History* (New York: W. W. Norton, 1976), 124-25; Alwyn Barr, *Reconstruction to Reform: Texas Politics, 1876-1906* (Austin: Univ. of Texas Press, 1971), 244.

44. Degener to Pease, December 30, 1866, E.M. Pease Papers, Austin History Center; U.S. Congress, House, *Report of the Joint Committee on Reconstruction*, 39; Byron Porter to Lt. J. T. Kirkman, Acting Adjutant General, August 19, 1867, "Registered Reports of Operations and Conditions," Records of the Assistant Commissioner for the State of Texas, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865-1869, Record Group 105, National Archives; *Tri-Weekly Democratic Statesman*, August 10, 1871.

45. Tausch, "Southern Sentiment among the Texas Germans," 72-74, 85-90, 97-100; E. Degener, *The Minority Report, in Favor of Extending the Right of Suffrage, with Certain Limitations, to All Men without Distinction of Race or Color* (Austin: Southern Intelligencer Office, 1866), 16; Barr, "Records of the Confederate Military Commission in San Antonio," 73 (Oct. 1969): 247-68.

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47. *Flake's Weekly Bulletin*, March 21 and 14, April 18, and December 26, 1866; Tausch, "Southern Sentiment among the Texas Germans," 101-2.

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50. Moneyhon, *Republicanism in Reconstruction Texas*, 164.

51. Arnaldo DeLeón, *The Tejano Community, 1836-1900* (Albuquerque: Univ. of New Mexico Press, 1982), 23-36; DeLeón, *They Called Them Greasers*, 56-57.

52. Riley, "Santos Benavides," 223-62; James Heaven Thompson, "A Nineteenth-Century History of Cameron County, Texas" (MA thesis, Univ. of Texas, 1965), 117-19; Degener to E. M. Pease, December 30, 1866, E. M. Pease Papers, Austin History Center; Newcomb to Pease, November 22, 1867, Elisha M. Pease Papers, Governors' Records, Texas State Archives.

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54. DeLeón, *They Called Them Greasers*, 87-102, 61-62; McWilliams, *North from Mexico*, 108-111. For the border violence that continued to plague the region in the twentieth century—especially as Mexican farm laborers and railroad workers flooded into the state after 1900—see McWilliams, *North from Mexico*, 111-14, 162-88. For the connection between the postwar economic and political disruptions and tension between Anglos and Hispanics along both sides of the Rio Grande, see Graf, "Economic History of the Lower Rio Grande Valley," 590-645. Walter Prescott Webb presented a positive interpretation of the Texas Rangers' actions against Hispanics on the border; according to him, most of the Mexican-Texans and Mexican nationals the Rangers killed were rustlers, bandits, raiders, and revolutionaries, among other undesirable groups, and deserved whatever they got. Webb, *The Texas Rangers: A Century of Frontier Defense* (Boston: Houghton Mifflin Co., 1935), 231-94, 441-44, 450-51, 461-65, 473-518.

55. *Dallas Herald*, November 29, 1873.

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57. See especially Michael Perman, *The Road to Redemption: Southern Politics, 1869-1879* (Chapel Hill: Univ. of North Carolina Press, 1984), and Richard H. Abbott, *The Republican Party and the South, 1855-1877* (Chapel Hill: Univ. of North Carolina Press, 1986). For a recent analysis of how white supremacy affected the outcome of the Civil War and Reconstruction in Tennessee, see Stephen V. Ash, *Middle Tennessee Society Transformed, 1860-1870: War and Peace in the Upper South* (Baton Rouge: Louisiana State Univ. Press, 1988).

8. BLACK TEXANS DURING RECONSTRUCTION

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2. Brown, *One of Cleburne's Command*, 178-79, 174.

3. *Weekly Southern Intelligencer*, August 11, 1865.

4. *Marshall Texas Republican*, June 30, 1865.

5. Rawick, *American Slave*, vol. 5, pt. 4, 181; vol. 4, pt. 1, 142; vol. 5, pt. 4, 124.

6. *Ibid.*, supp. 2, vol. 2, pt. 1, 4; supp. 2, vol. 8, pt. 7, 2934. For the debate among whites and blacks over the parameters of freedom, see Leon F. Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Alfred A. Knopf, 1979), 221-31.

7. Rawick, *American Slave*, vol. 5, pt. 3, 257; supp. 2, vol. 10, pt. 9, 4130; *Weekly Southern Intelligencer*, August 11, 1865; Barr, *Black Texans*, 65-66. See also, Litwack, *Been in the Storm So Long*, 292-335.

8. James Smallwood, "Black Texans during Reconstruction: First Freedom," *East Texas Historical Journal* 14 (Spring 1976): 10; Rawick, *American Slave*, supp. 2, vol. 6, pt. 5, 1937; Theresa to Mary Polley, February 4, 1869, Joseph H. Polley Papers, Barker Texas History Center.

9. *Weekly Southern Intelligencer*, November 16, 1865; Lucadia Pease to Carrie Pease, March 2, 1866, Lucadia Pease Papers; Alton Hornsby, Jr., "The Freedmen's Bureau Schools in Texas, 1865-1870," *Southwestern Historical Quarterly* 77 (April 1973): 397-417.

10. Smallwood, *Time of Hope, Time of Despair*, 57; May 15, 1867, Eugene Bartholomew Diary, Austin History Center.

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13. *Marshall Texas Republican*, July 10, 1868; *Dallas Herald*, September 25, 1873; *Austin Tri-Weekly Democratic Statesman*, October 5, 1871; *Marshall Texas Republican*, June 26, 1868.

14. Ann Patton Baenziger, "The Texas State Police during Reconstruction: A Reexamination," *Southwestern Historical Quarterly* 72 (April 1969): 470-91; Dorsett, "Blacks in Reconstruction Texas," 176; Otis A. Singletary, "The Texas Militia during Reconstruction," *Southwestern Historical Quarterly* 60 (July 1956): 23-35; *Austin Tri-Weekly State Gazette*, March 15, 1871.

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16. Moneyhon, *Republicanism in Reconstruction Texas*, 79; J. Mason Brewer, *Negro Legislators of Texas and Their Descendants* (Austin: Jenkins Publishing Co., 1970), 15; Alwyn Barr, "Black Legislators of Reconstruction Texas," *Civil War History* 32 (Dec. 1986), 342.

17. James M. Smallwood, "George T. Ruby: Galveston's Black Carpetbagger in Reconstruction Texas," *Houston Review* 5 (1983): 24-33; Merline Pitre, "Richard Allen: The Chequered Career of Houston's First Black State Legislator," *Houston Review* 8 (1986): 79-80; Barr, "Black Legislators of Reconstruction Texas," 343-46; Brewer, *Negro Legislators of Texas*, 61, 65-68; Barr, "Black Legislators of Reconstruction Texas," 347.

18. George Ruby, "To the Subordinate Councils U. L. A., Texas," Newcomb Papers; Lucadia Pease to her sister, February 11, 1868, Lucadia Pease Papers; Rawick, *American Slave*, supp. 2, vol. 5, pt. 4, 1881; J. L. Randall to Lt. J.T. Kirkman, Acting Adjutant General, April 30, 1867; M. H. Goddin to Kirkman, July 31, 1867: both in "Registered Reports of Operations and Conditions."

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21. Copied by *Marshall Texas Republican*, June 22 and August 10, 1867.

22. *Marshall Texas Republican*, August 24, 1867, June 19 and June 12, 1868, October 6, 1865, and June 5, 1868.

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26. Emerson to Kirkman, May 30, 1867; Albert Evans to Col. William Sinclair, January 8, 1867; Ira H. Evans to Kirkman, July 1, 1867; James Devine, Annual Report, January 2, 1866; all in "Registered Reports of Operations and Conditions."

27. Rawick, *American Slave*, vol. 5, pt. 3, 78, 258-61; Lt. J. P. Richardson to Kirkman, March 31, 1867, "Registered Reports of Operations and Conditions"; Smallwood, "Black Texans during Reconstruction," 12.

28. Rawick, *American Slave*, vol. 5, pt. 4, 133; supp. 2, vol. 4, pt. 3, 1160; vol. 5, pt. 4, 90; *Marshall Texas Republican*, July 13, 1867.

29. Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (New York: Harper and Row, 1971), 137-48; Smallwood, *Time of Hope, Time of Despair*, 142-43; James M. Smallwood, "When the Klan Rode: White Terror in Reconstruction Texas," *Journal of the West* 25 (Oct. 1986): 4-13.

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33. Rawick, *American Slave*, supp. 2, vol. 7, pt. 6, 2457; vol. 4, pt. 1, 3.

34. *Dallas Herald*, November 1, 1873.

35. *Marshall Texas Republican*, May 18, 1867.

36. Rawick, *American Slave*, vol. 4, pt. 2, 146; vol. 4, pt. 1, 222; vol. 5, pt. 3, 199; vol. 4, pt. 1, 161-62; supp. 2, vol. 2, pt. 1, 151; Mayer to Kirkman, May 1, 1867, "Registered Reports of Operations and Conditions."

37. Rawick, *American Slave*, supp. 2, vol. 8, pt. 7, 3005; vol. 5, pt. 4, 34-35; supp. 2, vol. 4, pt. 3, 1141; vol. 4, pt. 1, 110.

38. William Physick Zuber, *My Eighty Years in Texas*, 232-33; P.F. Duggan to Kirkman, June 30, 1867; M.H. Goddin to J.A. Potter, August 31, 1867; Lt. John Hutchison to Kirkman, April 30, 1867; J.L. Randall to Kirkman, May 31, 1867; Johnson to Kirkman, May 4, 1867; all in "Registered Reports of Operations and Conditions."

39. Campbell, *A Southern Community in Crisis*, 289; *Austin Daily Democratic*

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40. J. L. Randall to Kirkman, May 31, 1867, "Registered Reports of Operations and Conditions," *Dallas Herald*, December 6, 1873.

41. Archer to Gen. J. B. Kiddoo, January 10, 1867, "Registered Reports of Operations and Conditions," Rawick, *American Slave*, supp. 2, vol. 5, pt. 4, 1454, 1568.

42. Brewer, *Negro Legislators of Texas*, 61-99; Lawrence D. Rice, *The Negro in Texas, 1874-1900* (Baton Rouge: Louisiana State Univ. Press, 1971), 151-83, 209-39, 240-57; Rawick *American Slave*, supp. 2, vol. 3, pt. 2, 570.

EPILOGUE: NOTHING TO REGRET BUT FAILURE

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2. Greene, "The Durable Society," 505-6; Webb, *Handbook of Texas*, vol. 1, 529; vol. 3, 381; vol. 2, 778, vol. 1, 763-64, 202; *Weekly Southern Intelligencer*, January 11, 1866; Waller, *Colossal Hamilton*, 140-42.

3. Guido E. Ransleben, *A Hundred Years of Comfort in Texas* (San Antonio: Naylor Co., 1954), 94; Barr, *Reconstruction to Reform*, 17; Seth Shepard McKay, *Texas Politics, 1906-1944: With Special Reference to the German Counties* (Lubbock: Texas Tech Press, 1952); Terry G. Jordan, "The German Settlement of Texas after 1865," *Southwestern Historical Quarterly* 73 (Oct. 1969): 193-212.

4. Gray, "Edmund J. Davis," 362-63, 399; *Weekly Southern Intelligencer*, July 7, 1865; WPA, *St. David's through the Years*, 41; Swenson to Cora Mae Swenson, July 2, 1865, and "Biographical Sketch," Swenson Papers.

5. C. L. Sonnichsen, *I'll Die before I'll Run: The Story of the Great Feuds of Texas* (New York: Devin-Adair Co., 1962), 17-18, 21-38; DeLeón, *The Tejano Community*, 18-22; Crouch and Schultz, "Crisis in Color, 47-48; Rice, *The Negro in Texas*, 250, 246-47.

6. Carl H. Moneyhon, "George T. Ruby and the Politics of Expedience in Texas," in *Southern Black Leaders of the Reconstruction Era*, ed. Howard N. Rabinowitz, (Urbana: Univ. of Illinois Press, 1982), 388-89; Malone, "Matt Gaines," 72; Brewer, *Negro Legislators*, 81-101; Lamar L. Kirven, "A Century of Warfare: Black Texans" (PhD diss., Indiana Univ., 1974), 38-120; Paul D. Casdorph, "Norris Weight Cuney and Texas Republican Politics, 1883-1896," *Southwestern Historical Quarterly* 68 (April 1965): 455-64. One of the last of the black lawmakers was Robert L. Smith, who, as a proponent of Booker T. Washington's campaign for morality, industry, and thrift, devoted most of his time to promoting black vocational and liberal arts education. He cooperated with the Texas "Lily Whites" and refused to work for his constituents' political or social equality. Merline Pitre, "Robert Lloyd Smith: A Black Lawmaker in the Shadow of Booker T. Washington," *Phylon* 46 (Sept. 1985): 262-68.

7. Rollin G. Osterweis, *The Myth of the Lost Cause, 1865-1900* (Hamden, CT: Archon Books, 1973); Susan S. Durant, "The Gently Furled Banner: The Development of the Myth of the Lost Cause, 1865-1900" (PhD diss., Univ. of North Carolina at Chapel Hill, 1972), 72-104; Charles Reagan Wilson, *Baptized in Blood: The Religion of the Lost Cause, 1865-1920* (Athens: Univ. of Georgia Press, 1980); Paul M. Gaston, *The New South Creed: A Study in Southern Mythmaking* (New York: Alfred A. Knopf, 1970).

8. Cash, *Mind of the South*, 138.

9. Robert Penn Warren, *The Legacy of the Civil War* (New York: Random House, 1961), 14-15.

10. David M. Potter, *The Impending Crisis, 1848-1861* (New York: Harper and

Row, 1976), 448–69, quotes on pp. 461, 469. For a more recent statement of this idea, see Rable, *But There Was No Peace*, 188.

11. Robert F. Durden has traced the political importance of one of the ideas to which most southerners could be loyal—racial dominance—in *The Self-Inflicted Wound: Southern Politics in the Nineteenth Century* (Lexington: Univ. Press of Kentucky, 1985).

12. Billy Bob Lightfoot, "The Negro Exodus from Comanche County, Texas," *Southwestern Historical Quarterly* 56 (Jan. 1953): 407–16; Robert V. Haynes, *A Night of Violence: The Houston Riot of 1917* (Baton Rouge: Louisiana State Univ. Press, 1976); David M. Chalmers, *Hooded Americanism: The History of the Ku Klux Klan* (New York: Franklin Watts, 1965), 40–48; W. E. B. DuBois, "Opinion Column," *The Crisis* 18 (Oct. 1919): 283–84.

13. *Marshall Texas Republican*, May 26, 1865. One of the "most important" historical "truths" that the Children of the Confederacy intended to preserve was "that the War Between the States was not a rebellion, nor was its underlying cause to sustain slavery." The plaque is located on the west wall near the southern entrance to the capitol.

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